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HIS LORDSHIP'S PATRONAGE

Offices of Profit in Colonial Maryland

HIS LORDSHIP'S PATRONAGE^c

Offices of Profit in Colonial Maryland

BY

DONNELL MACCLURE OWINGS



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Studies in Maryland History

No. 1

BALTIMORE
MARYLAND HISTORICAL SOCIETY

1953

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TO
THE MEMORY OF
MY FATHER
AND TO
MY MOTHER

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NOTE

With this volume the Maryland Historical Society inaugurates a new series of publications. As stated in the constitution of the Society, adopted in 1844, one of its major objects is to disseminate knowledge of Maryland history. This the Society has endeavored to do, particularly through its meetings and its publications.

The latter, we may note by way of record, have been divided into the following series:

Annual reports and catalogs of exhibitions, appearing at intervals, 1850 to date (pamphlets).

Fund Publications, 1867-1901, thirty-seven volumes, monographs on Maryland and various historical topics, many being addresses before the Society. The name is derived from the fund of \$20,000 given in 1867 by George Peabody, half the income of which is dedicated to the Society's publications.

Archives of Maryland, 1883 to date, published by order of the State, described in the present author's Bibliography, page 188.

Maryland Historical Magazine, March, 1906, to date, in part supported by income from the Peabody Fund.

Occasional publications, 1844 to date. Many of these were delivered as addresses before the Society and others are monographs on historical topics.

Maryland in World War II; Volume I—*Military Participation*, 1950; Volume II—*Industry and Agriculture*, 1951. Other volumes in preparation. Compiled, edited and published by the War Records Division of the Society by order of the State.

Maryland History Notes, 1943—, a quarterly bulletin of news of the Society and related activities in the State.

Wheeler Leaflets on Maryland History, 1944—, a series of illustrated circulars for young people.

Since the founding of the Magazine there has been no regular means of publishing longer monographs or other special studies.

Several important volumes have appeared, such as Wheeler's *The Maryland Press, 1777-1790* (1938), and Emory's *History of Queen Anne's County* (1950) (Occasional Publications). These books were financed by contributions designated for the purpose, and each was an independent venture.

The Society now proposes to issue with some frequency, though not necessarily each year, volumes of broad general value, scholarly as in the present instance, or sometimes of a more popular nature, that will contribute to an understanding of our American heritage, particularly as exemplified in the Maryland experience.

To the generous supporters of this volume, Mrs. Charles P. Blinn, Jr. (Laura Maryland Carpenter) and the Misses Elizabeth G. and Julia McHenry Howard, the Society expresses its profound gratitude. Students, genealogists and "general readers" of the future, as well as of today, will abundantly testify to the benefits conferred.

J. HALL PLEASANTS

Chairman, Committee on Publications

JAMES W. FOSTER

Director

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PREFACE

This book had a very personal origin, but I hope its interest may be more than personal. Although Maryland was not my home, I have felt I had my roots there. Under King William the first of my people commanded rangers on Potomac, and the province had become a state before they left it moving west. Wanting to know them better, I found I could do so only by rediscovering the society wherein they lived.

The present work is not, however, a description of colonial society in Maryland, nor am I now apt to write one, for that task is large, and life is short. Forced to choose some aspect of it, I asked what element was most dynamic and creative. Probably, in this particular scene, the gentry, for it was they who converted a frontier settlement into a mature social organism. If so, then a rather significant question, which we may ask the existing records, is how this vital class happened to arise. What produced it on these shores? And how did it maintain itself?

Now gentility is no more than the evidence of wealth well used: without material possessions it cannot arise, nor can it long survive their loss. Our problem thus becomes an economic one, and we must ask whence came these fortunes and how they were augmented.

The answer, like most answers, is a multiple one. Some capital was brought in by the settlers. Land was had on easy terms. Servants and slaves were brought to work the land. The bay and ocean offered opportunities of trade. The native iron was unearthed and smelted. The law became a lucrative profession. And office holding revealed its profits to the holder. Indeed the answer in a word was diversification. "Planting," as Dr. Charles Carroll remarked in 1751, "will not do without some other Business or Professions. . . ."

The present essay is an inquiry into one such source of private wealth, the profits of office. However I had first to single out the more lucrative offices themselves and trace their often complicated histories. It seemed also well to learn who held such places and how these persons were related, so that the social meaning of the profits might be surmised. For the offices were less important

than the men who filled them, and the profits less important than the people who received and spent them—for the most part well.

My greatest obligations are not to persons but to institutions. Had it not been for the incomparable labors of the Maryland Historical Society, beginning more than a century ago, and for the more recent but not less able work of the state Hall of Records, many of the sources of our knowledge would not even have survived. Other materials, more fortunate, would yet be so ill arranged and inaccessible as to be of very little use to the inquirer. Time will, I trust, bring us an increased awareness of how great the debt we owe these bodies and the men who founded and administered them.

My late father, Samuel MacClure Owings, and my uncle, Allan Douglas Donnell, encouraged my efforts and aided me with funds. Much of the research was done, incident to a doctoral dissertation, under the inspired direction of Professor Samuel Eliot Morison of Harvard. Mr. James W. Foster, Director of the Maryland Historical Society, aided in many ways my earlier searches and has more recently done me invaluable service in preparing the manuscript for publication. Mr. Morris L. Radoff, the State Archivist, and Mr. William B. Marye of Baltimore have frequently helped out with illuminating suggestions. Mr. Roger Thomas, Senior Archivist of the Hall of Records, has given generously of his time to augment my data at many points and to verify for me many small details. To all of these my hearty thanks.

D. M. O.

University of Oklahoma.

Michaelmas, 1952

CHAPTER I

INTRODUCTION

LET US BEGIN by asking two pertinent questions: What were offices of profit? And why should we examine those in Maryland?

The term itself, once commonly used, meant any office which, for what it paid, was worth a gentleman's acceptance. Such a place might, and probably would, confer influence and position; but if these were its chief attractions, it was not a place of profit but merely one of honor.

To those interested in all the colonies this treatise may be of value in so far as, *mutatis mutandis*, what happened in one would happen in the others. However, in Maryland there were odd complications, because the province was proprietary for a while, then royal, and then again proprietary.

Anyone interested in this particular colony must indeed know something of these offices else he can have no real acquaintance with the time and place. For we may turn to almost any aspect of her early history and encounter problems arising from the patronage. More of this in a moment.

Meanwhile let us note that, distinct from the places of profit, there were, in Maryland as elsewhere, many posts supported merely by a *per diem* allowance for time in public service. These were the military offices and a number of civil places: seats in the Lower House of Assembly, on the Council of State, and in the county and provincial courts.¹ Military rank was prized for the dashing titles it conferred, but the civil offices were little sought and were at times actually difficult to fill.²

Thus Governor Sharpe found that candidates for the Lower House were too often "the lowest Persons at least men of small

¹ On the history and character of these offices see N. D. Mereness, *Maryland as a Proprietary Province* (New York, 1901), 194-338.

² In May, 1715, the Upper House proposed to include in a militia act a clause fining anyone who should refuse a military commission. The delegates, however, thought this unnecessary, "few persons being to be found or instanced that refused the same at any Times heretofore. . . ." (*Archives of Maryland* [Baltimore: Maryland Historical Society, 1883-], hereafter cited as *Archives*, XXX, 176, 179).

fortunes no Soul & very mean Capacities.”³ As early as 1692 Colonel Henry Jowles was denounced for “basely deserting . . . their Majesty’s Service . . . as one of their Council . . . and taking upon him . . . the Office . . . of a County Clerk.”⁴ For indeed, as Governor Calvert was to discover, “such men as ought to be chosen [to the Council], are not Easily got, and few men Care for an Empty Honour attended with trouble without some recompense.”⁵

After 1661 persons “obstinately refusing” to serve on the county bench might be fined, and although the act was not long enforced, some early cases are on record.⁶ “Judges of the County Courts,” wrote John Ridout a century later, “are . . . appointed . . . out of the principal Gentlemen of each County that are willing to act for . . . many Gentlemen decline it. . . .” As for the provincial bench, “Were there . . . handsome Sallaries settled on the Judges . . . some of the most eminent Lawyers may probably . . . be induced to quit their Practice . . . but as these Judges are . . . allowed Nothing for their Attendance . . . except about Eight Shillings Sterling a Day . . . no Gentleman that has any practice . . . will choose to qualify . . . nor is it without difficulty that other Gentlemen of Capacity are prevailed on to act. . . .”⁷

Quite different was the feeling of the upper classes toward those other posts, from that of governor down to deputy surveyorships, which were true places of profit. These were eagerly sought because they were more or less valuable.

Their worth, however, depended on a variety of circumstances. First there was the question of revenue. One could live like a gentleman and support a small family on perhaps £ 150 a year.⁸

³ Horatio Sharpe to Lord Baltimore, June 6, 1754 (*Ibid.*, VI, 68).

⁴ *Ibid.*, VIII, 424.

⁵ Benedict Leonard Calvert to Lord Baltimore, Oct. 26, 1729 (*Calvert Papers*, II, “Fund Publication No. 34,” [Baltimore, Md. Historical Society, 1894] p. 80.

⁶ Cf. *Archives*, XX, 225.

⁷ Portfolio No. 2, Folder 7b, sec. 14 (Hall of Records, Annapolis). Ridout, writing in 1763, was Governor Sharpe’s private secretary, was a member of the Council, and held several places of profit. Cf. the case of Lt. Col. John Bigger, 1699 (*Archives*, XXV, 75), and chapter VI, note 32.

⁸ William Eddis, at the end of the colonial period, concluded “that by prudent management a respectable appearance may be supported in Maryland on terms infinitely more reasonable than in most parts of the mother country. . . .” (*Letters from America . . . from 1769 to 1777 . . .* [London, 1792], 34). In 1754 Gov. Sharpe considered £ 150 sterling a year sufficient provision for His Lordship’s

Some offices paid more and others less. Equally important, or nearly so, was the matter of trouble and attendance. Normally an office holder expected to give only part of his time, and indeed as little as possible, to his public employment. For he was usually a planter, often a merchant or barrister as well, and he could hardly neglect these profitable callings. Fortunately some few offices were sinecures, and others could be made so by employing a deputy. There were also the questions of risk and tenure. In a few posts, notably that of sheriff, an incumbent had to put up money of his own and take a chance of losing it. Again the tenure of the shrievalty was limited by law, but most other places were tenable at pleasure, which often meant for life.

We have said that these offices were important. Politically they were so because they were generally coveted, and because those who obtained them became objects of envy. Such places were in consequence bones of contention between the ins and outs during the whole colonial period. Their revenues were on the one hand jealously guarded and on the other repeatedly attacked. Most political controversy arose out of them. Politically, too, such offices were so many gifts in the hands of government, either royal or proprietary, wherewith friends might be rewarded and opponents conciliated.

Administratively, these were the offices that most closely touched the lives of the people; for by them were the records kept, lands surveyed and granted, funds collected and disbursed, wills probated, and estates administered. Economically, they helped to siphon the wealth of the people into the coffers of the gentry. Socially, they fostered the rise of aristocracy. Culturally, they drew upon the many that the few might purchase books, rear great houses, and educate their children. Historically, they created, out of controversy, political experience, and out of wealth and ease, political leadership.

Now it is not the purpose of this book to prove anything, or to point a moral, or to teach a useful lesson. Its only aim is to aid those who would delve further, providing data they may need and will not elsewhere easily obtain. Here will be found, excised

cousins, Mr. and Mrs. David Graham; after Graham's death Secretary Calvert thought £100 a year ample for the widow (Horatio Sharpe to Cecilius Calvert, May 3, 1754, and Cecilius Calvert to Horatio Sharpe, Dec. 2, 1754. *Archives*, VI, 64; XXXI, 474).

from the mass of history wherein it lies embedded, the story of these offices. We shall endeavor to present the origins, growth, and final pattern of the local patronage. We shall examine individual offices, tracing the history of each, noting the size and character of its revenue, the attendance required, the risks if any, and the security of tenure. An appended chronology and civil list will aid the narrative.

Something will necessarily be sacrificed to clarity and brevity. Little of the rich political and social context can be introduced, and much that is of human interest will have to be omitted. Of these matters the author hopes to write at large in some later work. It is his present wish that this rather austere little book, whatever its defects, may at least be helpful and may save his colleagues time, trouble, and confusion.

CHAPTER II

THE MARYLAND PATRONAGE

WE MUST CONSTANTLY bear in mind that Maryland's colonial history falls into three unequal periods: fifty-five years of proprietary government (1634-89), a quarter century of royal administration (1690-1715), and another sixty years of proprietary rule (1716-76). Founded in 1634, partly as a Catholic refuge, by its first proprietor, Cecilius Calvert, Lord Baltimore, Maryland suffered an internal uprising in 1689, whereupon its government was taken by the crown. In 1715, however, soon after death of the second proprietor and succession of a Protestant heir, this government was returned to the Calvert family.

During both proprietary periods officers were appointed by Lord Baltimore or his representatives and held place at their pleasure. All funds for support of government were proprietary revenue and were received and disbursed by His Lordship's Agent and Receiver. Under crown administration, on the other hand, the proprietor had no authority over this government or the funds for its support. He retained merely his personal income and the patronage of those offices administering it. Appointment to all other places passed to the crown. All funds for support of government became crown revenue and so were handled by the Crown Receivers.

This period of royal government was one of relative tranquility. After important changes in 1689-96 the constitutional and financial evolution of the province virtually halted. In contrast the proprietary periods saw a progressive unfolding of the administrative system. Prior to 1689 this development, although on the whole constructive, was interrupted by invasions, internal disorders, and the vagaries of the proprietor. The latter period, although disturbed by serious political quarrels, was generally an age of progress. Constitutional development, if slower, was also more constructive. It was marked by a growing complexity in those establishments devoted to provincial finance, proprietary revenues, and royal customs duties.

1. HOW THE OFFICES EVOLVED.

Cecilius, Lord Baltimore, a practical man, did not impose on his little settlement an elaborate constitution. He chose instead to let his patronage evolve and expand with the increase of population, dividing offices whose duties became too numerous and erecting new ones as need required. His earliest government was extremely simple. It consisted merely of a Governor, Leonard Calvert, and two "Commissioners," Jerome Hawley and Captain Thomas Cornwalleys. These went out to Maryland at the first settlement, landing March 25, 1634. In November, 1637, arrived John Lewger with a commission creating Calvert Governor and Chancellor, Lewger himself Secretary, and Lewger, Hawley, and Cornwalleys Councillors. Two months later the Governor began to appoint sheriffs.

The executive mechanism, consisting of a Governor and the sheriffs, was now substantially complete. Meanwhile the patronage grew up around the Governor by two processes: a progressive division of the Secretary's office, and the erection of new offices to meet special needs. After 1673 there were also a number of royal customs places. Although outside the patronage of the province these were under the Governor's supervision and were commonly filled by Maryland residents.

The provincial Secretary had at first all functions not definitely assignable to the Governor or the Chancellor. As Secretary he was notary public and custodian of provincial records, and he could appoint the clerks of his own office and of the provincial and the county courts. These functions he retained, save for loss of the custody of certain records, throughout colonial times.

His other duties were, however, gradually taken away. From his office were detached the posts of Surveyor General (1641/2), Agent and Receiver General (1651), Attorney General (1657), Commissary General (1673), Naval Officer (1676), and Rent Roll Keeper (1689). Under royal government, in 1705/6, the secretariat was itself divided between a principal residing in England and a deputy living in Maryland. Thereafter the deputy took all fees and paid his principal a salary. The principal acquired wider power and a larger revenue in 1751. Meanwhile the deputy had assumed, soon after the restoration of 1715, an additional style as Judge of the Land Office; but in 1738 this post

was made a separate place of profit. Thus seven offices in all were taken from the secretariat, and that office was itself divided between a principal and a deputy.

Moreover, of those places taken from the Secretary several underwent further division. The Surveyorship was in 1697 divided between two incumbents, one for each shore. Much earlier this officer had begun to appoint deputies, of whom there was soon one in each county. In 1683 the function of examining and passing certificates of survey was given to an Examiner General.

The Agent and Receiver General, throughout colonial times, received and disbursed the proprietary revenue. Originally he also handled public moneys and tobaccos, and in 1689 he acquired possession of the rent roll. The provincial funds were, however, taken from him under royal government, and in 1694 two Public Treasurers were appointed to receive and disburse them. The rent roll, largely destroyed in 1699, was compiled anew by two "Copartners in Farming the Quit-Rents" and in 1707, at the expiration of their lease, was entrusted to a separate Rent Roll Keeper now appointed. After 1733 there were two such keepers, one for either shore.

The Agent seems at first to have received His Lordship's territorial revenue directly from freeholders and tenants, but as the progress of settlement enlarged this function, he began to appoint subordinates. These were the collectors of quit-rents; special officers to receive alienation fines in each county, usually the county clerk; and stewards, to lease out manors and reserves and to collect the rents.

In 1716 Baltimore discontinued the office of collector and accepted a duty of two shillings per hogshead on tobacco in lieu of all quit-rents and alienation fines. On their resumption in 1733 the quit-rents were entrusted to farmers and receivers, who accounted to the Agent and Receiver General. In 1755 the office of receiver was discontinued, and that of farmer was assigned to the sheriffs; but twelve years later the farmer's office was again made separate and distinct.

The Attorney General began in 1688 to appoint deputies, one in each county. These officers, originally styled His Lordship's Attorneys, were after 1690 called Clerks of the Indictments. On three occasions a Solicitorship General was divided from the Attorney's place, but the new office was each time short lived.

Under royal administration there were two Attorneys General, one for the crown and one for the proprietary.

The Commissary's office was united with the Chancellorship in 1673 and thence separated, to form an independent place of profit, twenty years later at the organization of royal government. At that time the Commissary General, under a law of 1692, began to appoint in each county a deputy to grant letters of administration and pass accounts of small estates.

The Naval Officers, originally three, were augmented in number as shipping increased, and under royal government there were two sets of them, one provincial and the other proprietary. The Judgeship of the Land Office, separated from the secretariat in 1738, was after 1746 usually held by joint incumbents.

Now in addition to these offices, which arose by division from the secretariat, certain others were set up as need arose. A provincial Agent was maintained in London for brief intervals. Other officials were appointed to drill troops and care for the public arms. To the provincial officers of finance were added in 1733 the Commissioners of the Loan Office and, later, certain temporary Agents or Commissioners to handle moneys raised under supply acts. Of the crown revenue officers more will be said later.

2. THE STRUCTURE OF GOVERNMENT.

This rather intricate organization may be divided, at least in theory, into four units, each with its own function. These were: (1) a central governing body, which performed the executive, judicial, and other nonfinancial services of government; (2 and 3) two local revenue establishments, one provincial and the other proprietary; and (4) a crown revenue establishment, largely separate from the others.

What we have called the central governing body included the Governor and Chancellor, the Secretary in his essential functions (that is, those remaining to him after 1738), the Commissary General, the Attorney General, the sheriffs (in their executive capacity), some minor officials, and the provincial and county clerks.

The provincial revenue establishment consisted of the Public Treasurers, the Naval Officers (as collectors of provincial duties),

the sheriffs (as collectors of the public levy), the Commissioners of the Loan Office, and the Agents under supply acts.

The proprietary establishment comprised the Agent and Receiver, the Chancellor (in proprietary times), the Judges of the Land Office, the Surveyors, the Examiner, the Naval Officers (as collectors of proprietary duties), the Rent Roll Keepers, the stewards, and those minor officials who collected quit-rents and alienation fines.

In practice these three local units tended to fuse during the two proprietary periods; but under royal government Lord Baltimore's revenue establishment was sharply separate from the others.

Thus in the first proprietary period the Governor and Secretary were closely associated with the Agent and Receiver General. The Governor as chief executive aided and supervised him, while the Secretary kept the land records. Patents bore the proprietary broad seal in the Chancellor's keeping; and Naval Officers collected both provincial and proprietary duties. Persons indebted to His Lordship were prosecuted by the Attorney General. Similarly the Agent acted as a public treasurer, receiving and disbursing the annual levies collected by the sheriffs.

Under royal government members of the proprietary establishment remained the servants of Lord Baltimore, but all others were responsible to the crown. The Governor ceased to aid and advise His Lordship's Agent. The Secretary, though he retained most of the land records, performed no other function in territorial affairs. Lord Baltimore's seal passed into the Agent's custody, and separate Naval Officers collected proprietary duties. Of the two Attorneys General one prosecuted debtors to Lord Baltimore and the other criminals and debtors to the crown. The Agent received only the proprietor's personal income. Funds for the support of government were paid to crown Receivers, and provincial funds were paid to Public Treasurers.

After the restoration of 1715 Baltimore's revenue establishment again fused, though incompletely, with the other two local units. The Governor, who now resumed his duties as aid and adviser to the Agent, was given one of the Surveyorships. The Deputy Secretary, recovering his functions in land affairs, assumed the title of Judge of the Land Office. The Chancellor regained custody of His Lordship's great seal, which he now affixed to land

patents. A single body of Naval Officers collected both provincial and proprietary duties; and the Agent again received all funds for support of government. Finally, in 1768, the chief members of the central governing body, that is, the Governor (and Chancellor), Deputy Secretary, Commissary General, and Attorney General, were joined with the Judges of the Land Office into a Board of Revenue to supervise the Agent and audit his accounts. Under this commission the central government and the proprietary establishment became closely interwoven.

The fourth unit, always clearly separable from the others, was a crown revenue establishment outside His Lordship's patronage and responsible, in theory, to the king. It comprised two distinct parts, one temporary and the other permanent. The former existed only from 1692 to 1715 and consisted of two Receivers and a Deputy Auditor. The Receivers handled all funds for support of government, and the Auditor examined their accounts. The latter part, established in 1673, enforced the laws of trade and collected the "plantation duty." Its personnel comprised at first only a Surveyor and Comptroller (discontinued in 1694) and a Collector. Two more Collectors were appointed in 1685 and a fourth in 1752. Meanwhile certain preventive officers, two Surveyors and Searchers and three Riding Surveyors, were established in 1695-98. In 1764-66 four Comptrollers were appointed to audit the accounts of the four Collectors. These Collectors, Surveyors, and Comptrollers were deputed by the Customs Commissioners pursuant to Treasury warrants. However, the Governor was instructed to advise and aid them; and after 1727 he might appoint such officers provisionally to fill sudden vacancies.

3. HOW THE OFFICERS WERE PAID.

The chief executive, as Governor, received a salary, the income from three port duties, fees for marriage licenses, and an allowance for house rent, all in sterling. As Chancellor he had tobacco fees for signing and sealing documents, especially land patents. After 1716/7 he also held one of the two land Surveyorships and in this capacity received payments in tobacco from his deputies. The Deputy Secretary, who had numerous tobacco fees and annual payments in tobacco from the county clerks, paid his

principal a salary in sterling. The Commissary General and Attorney General received tobacco fees.¹

Within the provincial revenue establishment the Treasurers were allowed commissions, in sterling and currency. The Naval Officers received commissions on duties they collected and fees for entering and clearing ships, both in money. The sheriffs had a salary and fees in tobacco and commissions on the moneys and tobaccos they collected.

The Proprietary Agent's revenue, entirely in money, comprised a commission on part of Lord Baltimore's income and a salary for receiving the rest of it. The Judges of the Land Office and the Examiner General had tobacco fees. The Surveyors General got a portion of their deputies' profits in tobacco. The Rent Roll Keepers, after 1733, had five percent of the quit-rents, collected in sterling.

All members of the crown revenue establishment had salaries in sterling except the Deputy Auditor, who took a commission on the accounts he passed. In addition, Collectors were allowed twenty percent of the plantation duty and, together with the Comptrollers, took fees in sterling (later currency) for entering and clearing vessels.

Salaries were paid at regular intervals, usually semi-annual or quarterly. Commissions were taken whenever moneys or tobaccos were received. Fees in money were paid at once. But the more numerous tobacco fees had to be collected the following summer by the sheriff, pursuant to accounts rendered him by the various officials.

These tobacco fees had appeared in the seventeenth century when tobacco was the staple of the province and when money of every kind was scarce; but they persisted after planting had been

¹ Members of the central governing body whose offices were not places of profit were paid out of poll taxes in tobacco. County magistrates received a daily allowance when actually sitting as the county court. This allowance, with other local expenses, was included in the county levy, which was drawn up each year by the county clerk, passed by the justices, and collected by the sheriff. Similarly provincial councillors, judges, assemblymen, and military officers received an allowance for days actually in the public service. This was included, with other provincial expenses, in the public levy, which was drawn up by a committee of accounts, passed by the Assembly, and collected by the sheriffs. Provincial tobaccos so collected were handled by His Lordship's Agent and Receiver in the earlier proprietary period and thereafter by the Public Treasurers. Normally a journal of accounts passed the Assembly once a year, but disputes over payment of the Council and of their clerk twice long delayed its passage.

abandoned over large areas and an adequate currency been issued. Although prior to 1699 fees were rated in both money and tobacco and might be paid in either, they were after this date regulated in tobacco alone. An official might then legally demand tobacco even though his client preferred to pay in money. Later the Inspection Act of 1747 enabled persons making no tobacco to discharge their fees in currency or sterling; and its successor in 1753 extended this indulgence in part to planters also.

As a medium of payment tobacco was never wholly satisfactory, and it became increasingly inconvenient. Its defects were such as to encourage placing the fees at a high figure. This in turn annoyed the people and provoked complaint in the Lower House.

Tobacco was of uncertain value, it was bulky, it was expensive to transport, and it could be collected only once a year. An official found his tobacco each summer scattered all over the province. He had to allow the sheriffs a commission for collecting it, and he had then either to sell it cheaply on the spot or else bear a further charge to get it into one place for shipment. Moreover, when this tobacco was all secured, much of it would be of poor quality, for many planters paid their debts in "trash."

"These inconveniences were, however, largely remedied by the Inspection Law, which raised and stabilized the price of tobacco, ended the currency of "trash," and let the official obtain his tobacco in cask at the inspection houses.² But he was still obliged to wait till late summer for his fees, and he could still lose a bit through the insolvency of debtors.

4. WHAT AFFECTED THEIR REVENUES.

Because of the varied modes of payment and a neglect of fixed salaries the incomes of officers fluctuated much from year to year. These variations arose from an interaction of several factors: the more important were the growth of population and commerce, the current price of tobacco, the legal standing of fees, and the level of fees as regulated by proclamation and by law.³

² Cf. Henry Callister to ——— Cunliffe, July 7, 1751 (Callister Papers, I, Md. Diocesan Library).

³ In Great Britain officers' incomes were also affected by taxation, but on only one occasion, by a law of May, 1695, which expired in July, 1699, were such revenues taxed in Maryland. During the fourth intercolonial war the delegates were determined to include a tax on office incomes in one of their supply acts,

Settlement of the province, insofar as it increased the amount of legal business, the expenses of government, and the production and consumption of commodities, augmented the revenues of all those officials paid in fees, in commissions, or from the proceeds of customs duties.⁴

As the increase was not, however, uniform within the colony, some local officers gained by it more than others. At the beginning of the eighteenth century the southern counties of the Western Shore, those earliest settled, had begun to suffer from soil depletion and to lose population to fresh northern and western counties. The clerks', sheriffs', and deputy surveyors' offices in St. Mary's, Calvert, and Charles Counties ceased to appreciate and then declined in value; those of Baltimore, Prince George's, Cecil, and Frederick Counties grew more lucrative.

Similarly, officers in the proprietary establishment, whose incomes were incident to the taking up of vacant lands, were affected by conditions on the frontier. When in 1755 Braddock's defeat ended the purchase of wild lands in Frederick County, and ensuing Indian raids drove out the settlers (who ceased to pay their quit-rents), Lord Baltimore's income fell hundreds of pounds, and his officers suffered corresponding losses.

The condition of commerce, four times impeded by war, was particularly important to the Governor, whose income arose chiefly from port duties; to the Treasurers, who had commissions on the provincial duties they received; and to the Collectors and Naval Officers, who took commissions on the duties and had fees for entering and clearing vessels. As many of these duties were on tobacco, revenues were further affected by the extent of planting in the province. The spread of tobacco culture in the seventeenth and early eighteenth centuries increased the produce of tobacco duties and of the commissions on them. A very general abandonment of tobacco for wheat over large areas after 1730 had the reverse effect.

Moreover, as most officers were paid wholly or partly in tobacco,

but the Upper House never permitted them to do so (cf. *Archives*, L, 483; LV, 676, 727-28; LVI, 280). Those taxes proposed in 1695 and 1754 give some idea of the relative values of offices (*Ibid.*, XXXVIII, 50; L, 483).

⁴Maryland seems to have had a population of just under 35,000 in 1704; 80,000 in 1719; 153,505 in 1755; and from 220,000 to 250,000 in 1775 (cf. C. A. Barker, *The Background of the Revolution in Maryland* [New Haven, 1940], 3). Much of this increase was due to a high birth rate.

its money value, that is its purchasing power, was of great importance to them. The local product tended to fluctuate between one and two pence sterling a pound. Until 1747 it usually hovered near the lower figure, approximately the cost of production. It was of no reputation, and after 1730 it compared unfavorably with the inspected Virginia leaf. We have seen, however, that the Inspection Law improved the quality and eased the collection of Maryland tobacco. Consequently, although by it officers' fees were reduced, their sterling value may actually have risen.

So long as fees were regulated by law, they were also on execution. If the debtor failed to pay within a limited time after delivery of an officer's account by the sheriff, that official might, without further legal process, seize the debtor's movable property, sell it, and deliver the proceeds to the creditor.

During two intervals, however, from 1726 to 1747 and from 1770 until the Revolution, there was no fee law. Fees were then fixed by executive proclamation (1733 and 1770), in the former case by Lord Baltimore himself and in the latter by Governor Eden.

In so doing the proprietor acted within an alleged legal right under his charter. Moreover, as the fees so established were merely those previously taken by law, he could argue that the practical effect was to prevent extortion by his officers.

To these, however, such a proclamation was of slight utility, for instead of putting fees on execution, it simply fixed the *quantum meruit* of each service. Should his client then refuse to pay, an officer had no recourse but to a law suit before a doubtless hostile jury.⁵ The Deputy Secretary, the Commissary General, and some county clerks required of clients a penal bond for payment of their fees, but the Lower House early declared this practice "vexatious Litigious Crewell and oppressive."⁶

⁵ Cf. Benedict Leonard Calvert to Lord Baltimore, Oct. 26, 1729; Samuel Ogle to Lord Baltimore, Jan. 10, 1731/2 (*Calvert Papers*, II, 76-78, 83); Benjamin Tasker and the Council to Lord Baltimore, March 11, 1755; statement of the case on officers' fees, 1771 (*Archives*, XXXI, 64-66; XXXII, 500).

⁶ The Lower House committee of aggrievances complained of these bonds in April, 1735, May, 1739, and June, 1741. In 1743 Deputy Secretary Edmund Jenings wrote to Baltimore suggesting he forbid them in order to calm the temper of the delegates, but there is no evidence His Lordship did so (*Ibid.*, XXXIX, 248; XL, 313-16, 351-58, 364; XLII, 228, 662). A month after expiration of the Inspection Law, on Oct. 22, 1770, the Lower House again complained against the taking of bonds for fees in the Land Office (*Ibid.*, LXII, 423-26).

In English speaking countries political controversy usually turns on some financial issue. Characteristic of Maryland finance were low internal taxes, high customs duties (which however attracted little notice), and high officers' fees. These last were notably higher in Maryland than in Pennsylvania or Virginia. For in Pennsylvania all fees were paid at once in money; and in Virginia, among a larger population, officers had more business and could afford to act for smaller sums.⁷ Popular opposition turned then in Maryland against fees, revolving about two perennial questions: How high ought they to be? And who might regulate them?

Responsible persons usually agreed that officers' fees "ought not only to be sufficient to pay them for their Labor, But Large enough to Encourage Industry and Integrity in men of Ability to Administer the Affairs of Government. . . ." ⁸ Nor should fees be so far reduced as to "discourage men of good Learning Integrity and parts to accept of . . . the inferior offices . . . [or] lessen and debase the State and Dignity of the superior officers who . . . ought to be handsomely supported according to their Several Characters not only for the sake of their own meritt and Capacity but the Honour of the Government itself whereof they are the immediate ministers." ⁹

Unfortunately, agreement in principle did not prevent endless quarreling at the practical level over this or that actual table of fees. Baltimore wanted them kept high to preserve the value of his patronage and in consequence his power. His chief officers, sitting in the Upper House, wanted them kept high to preserve their private incomes. But the delegates sought to lower them, partly to save the people money and partly to reduce His Lordship's influence.

Baltimore's authority to regulate fees, confirmed by the best legal opinion, arose from his charter right to establish offices. The Lower House, however, argued that fees had the character of taxes and so could be regulated only by laws of Assembly.

Each party asserted its position by word and deed. The Governor in 1642 proclaimed a full table of fees which, at that early time, went unchallenged by the Lower House.¹⁰ In the second

⁷ Cf. report of conference on officers' fees, Sept. 10, 1745 (*Ibid.*, XLIV, 33).

⁸ Lords Baltimore and Guilford to Assembly, read April 21, 1720 (*Ibid.*, XXXIII, 543).

⁹ Upper House to Lower House, June 29, 1714 (*Ibid.*, XXIX, 372).

¹⁰ *Ibid.*, I, 162.

proprietary period Baltimore twice obtained a legal opinion supporting his right and twice limited fees by proclamation.¹¹

Prior to the establishment of royal government the Assembly enacted two comprehensive fee laws (1638/9 and 1676), and the Lower House challenged His Lordship's right to concede fees to those offices established without their consent.¹² Further, in May, 1692, they obliged Colonel Lionel Copley, the first crown Governor, to promise that no fees should be altered save by act of Assembly.¹³ When in 1733 and again in 1770 Baltimore tried to regulate fees by proclamation, the delegates protested vigorously and often. They enjoyed, moreover, such popular support that it is doubtful if these proclamations had any standing before the courts.

The tedious fee controversies interest us only insofar as they betrayed popular discontent, illustrated proprietary policy, and affected officers' incomes.¹⁴ Prior to 1704 popular protest was not so much against fees legally established as against those of offices erected solely by prerogative and against those unauthorized by law.¹⁵ Delegates proposed slight reductions in September, 1704, and more extensive ones in the summer of 1714. But from 1638/9 until 1719 fees once established usually persisted, for successive acts and proclamations ordinarily did no more than to confirm old fees and add new ones.

A law of June, 1719, after His Lordship's restoration, reduced the fees of the Commissary General, the Deputy Secretary, and the Clerk of the Council about a fourth, and effected smaller reductions in those of the county clerks. It occasioned a lengthy

¹¹ See the opinion of Sergeant William Wynn, Jan. 15, 1730/1, and that of Messrs. Thurlow, Wedderburn, and Dunning, about 1771 (*Ibid.*, XXXII, 494-501); also proclamations of April 14, 1733, and Nov. 24 and 26, 1770 (*Ibid.*, XXVIII, 31-44; LXIII, 109-11). The former proclamation seems to have been suggested by Gov. Benedict Leonard Calvert; see his letter to Lord Baltimore, Oct. 26, 1729 (*Calvert Papers*, II, 76-78).

¹² Cf. report of conference on grievances, April 20, 1669, and "Additional Articles . . . against the Lord Baltimore and his Deputies," 1690, art. 1 (*Archives*, II, 169, 176; VIII, 219).

¹³ *Ibid.*, XIII, 382.

¹⁴ On these controversies see Mereness, *op. cit.*, 373-400, and Barker, *op. cit.*, chapters VII, VIII, IX, and X.

¹⁵ See note 12 above; also "Declaration Of the reason and motive for the present appearing in arms," 1689, and "Articles against the Deputies, Judges and ministers of the Lord Baltimore," 1690, arts. 5-7 (*Archives*, VIII, 104, 217). The declaration of 1689, drawn to place His Lordship in as bad a light as possible, contains the only reference to "Excessive Officers Fees," as such, prior to 1704.

correspondence wherein Lord Baltimore's effort to restore the former table was cut short by passage of a, to him, still more objectionable law.

This act, in March, 1725/6, proposed to reduce again, by about a fourth, the fees of the Commissary General, Deputy Secretary, Examiner General, Clerk of the Council, Clerk of the High Court of Appeals, and county clerks. His Lordship promptly disallowed it, so that fees now went unregulated for two decades. Fee bills, though often introduced, were never passed, for the Lower House insisted on their table of 1725/6, and the Upper House as stubbornly on that of 1719. Baltimore's fee proclamation of 1733 merely served to heighten and turn against himself the mounting wrath of the delegates.

Meanwhile the decayed state of Maryland's tobacco trade, sinking ever lower since the Virginia law of 1730, compelled the attention of legislators, producing at last, in July, 1747, an inspection act modeled on that of Maryland's southern neighbor. Moreover its preparation had created enough good will to settle also the vexed fee question.

Both houses rightly apprehended that an inspection law would raise tobacco prices twenty-five percent or more, so that tobacco fees could be reduced without affecting the real value of officers' incomes. Accordingly all fees and salaries were fixed at a fifth or a fourth below the rates of 1719. To encourage production of flax and hemp persons making no tobacco were allowed to pay their fees in money at £ 0.12.6 currency per hundred pounds.

This law was a partial victory for the Upper House. It established tobacco fees which, in sterling value, were equal to or above those of 1719, and it greatly eased the problem of collection. Only the money provision troubled office holders. The face value of £ 0.12.6 currency was £ 0.9.4½ sterling; but it circulated at about £ 0.6.3, while tobacco now rose to twelve or sixteen shillings sterling per hundred pounds. So on fees paid in currency officers could lose as much as fifty percent.¹⁶

Subsequent inspection and fee acts were passed in 1753 and 1763. The former struck off certain fractions, for greater ease in

¹⁶ Officers complained too that debtors swore they produced no tobacco, or had others swear for them, when actually they were planters. Cf. John Beale Bordley to Roger Boyce, July 13, 1761 (Fee Book of J. B. Bordley, 1759-61, Bordley Papers, Md. Historical Society).

accounting, and allowed tobacco planters to discharge a part of their fees in money. The latter act, which continued these rates, was renewed for but one year, in 1769, and was allowed to expire on October 22, 1770.

This unfortunate loss of so valuable a law arose from a new disagreement over fees. Delegates now complained, not against the table in general, but against certain "abuses" in the fee system, some legal and some extra-legal. A new act for inspection alone, together with one for payment of the clergy, was passed in December, 1773. But the fee controversy, enlivened by Governor Eden's proclamation of 1770, by vigorous resolutions in the Lower House, and by a stirring newspaper correspondence, persisted, to become one of those issues which destroyed His Lordship's government.

Thus the fees of officers in Maryland, early established at high figures, remained high throughout colonial times. Indeed the only effective reduction was that of 1719; for the act of 1725/6 was disallowed, and that of 1747 did not actually reduce the sterling values. Moreover, this law of 1719 retrenched the fees of only four offices. Those of all others went virtually unchanged from the beginning to the end.

The level of fees was thus a constant factor among those variables which affected the revenues of office. Relatively constant also, though interrupted by war, was the increase of population and commerce. The price of tobacco and the effectiveness of collection, however, varied greatly, though both were improved by the Inspection Law of 1747. Although some developments favored and some impaired the interests of the office holder, their net effect was a gradual increase of office incomes throughout the colonial period, a progress interrupted but temporarily by the reductions of 1719, by the loss of fee acts in 1726 and 1770, and by the four intercolonial wars, of which the opening years of the fourth and last were most severe.

CHAPTER III

THE CHIEF EXECUTIVE

IN THIS and three following chapters we shall deal with those officers not primarily concerned with finance. These were the chief executive, who was normally both Governor and Chancellor, the Principal and Deputy Secretaries, the Commissary General, the Attorney General, certain minor officials, and the provincial and county clerks. The sheriff, although in his executive capacity an agent of the Governor, derived most of his income from collecting the public levy and other funds. On this account we shall consider him later, as one of the provincial revenue officers.

1. THE CHARACTER OF HIS OFFICE.

The Lords Baltimore, as hereditary Governors of Maryland, looked on their chief executive as a deputy, so that in the first proprietary period he was called a Lieutenant General and in the later a Lieutenant Governor.¹ On the other hand, during the quarter century of royal administration, the crown regarded him as a principal and accorded him the full title of Governor. Nevertheless his duties varied but little throughout the colonial period, so we shall find it convenient to employ only the one term.

Should a Governor be absent or dead, he would normally be succeeded for the time being, in his duties but not in his title, by the first member of the Council.² However, throughout the earlier proprietary period he might appoint in his absence a Deputy Governor, called a Deputy Lieutenant General, or on his death a Governor, whose title might later be confirmed by the proprietary.³ At the inception of royal administration the Governor lost his power to appoint a successor, and such persons thereafter bore

¹ Cf. *Archives*, XXXIII, 6.

² This principle of succession was fixed by an act of October, 1640 (*Ibid.*, I, 96), confirmed in 1676 but repealed in 1692 at the inception of royal government. Under the crown it was supported by crown instructions. After the restoration it was reaffirmed by a law of August, 1716.

³ Cf. the previously mentioned act of October, 1640. Twice on leaving the province and a third time, on his death, the first Governor, Leonard Calvert, appointed his own successor.

the style of President of the Council. The office of President, so established, thrice arose under crown rule and again on three occasions under the restored proprietary.⁴

From earliest times, however, the chief executive's place was not so much one as a complex of two and more often three offices. Thus, except from September, 1661, to March, 1690/1, the Governor was Chancellor by commission; and he was in fact always in possession of the great seal save for two intervals, from November, 1661, to July, 1699, and from February, 1719/20, to July, 1725. Similarly, after January, 1716/17, a Governor usually held one or the other of two land Surveyorships General.

The Constitution of 1776 was to discontinue these Surveyorships, to separate the posts of Governor and Chancellor, and to forbid the Governor to hold any other place of trust or profit.⁵ It was also to make him annually elective by a joint vote of the two houses of Assembly.

The last colonial executive, Baltimore's brother-in-law, the genial Captain Robert Eden, of West Auckland, County Durham, arrived in June, 1769. His administration was troubled with a controversy over officers' fees, and after Parliament's enactment of the Coercive Laws he quite lost control of the province. Yet his own popularity was untouched by these events, and his private influence remained extensive. Although he left for England in May, 1774, he came back to Maryland in November and stayed on until June 23, 1776. He then went aboard H. M. S. *Fowey* and with her sailed next day for home. There he was made a baronet. Sir Robert returned to Annapolis after the Revolution. He died there and lies buried in St. Anne's churchyard.

2. HIS REVENUE AS GOVERNOR OR PRESIDENT.

Throughout the colonial period the chief executive enjoyed, in his capacity as Governor, and exclusive of fees and perquisites attached to his other offices, a revenue in money, derived from

⁴ The office first appeared on Gov. Copley's death, Sept. 9, 1693. The three Presidents under the Proprietary were Col. Thomas Brooke II, May to Oct., 1720; Mr. Benjamin Tasker, May, 1752, to Aug., 1753; and Mr. Richard Lee, May to Nov., 1774.

⁵ Objection to the Governor's being also Chancellor had been voiced by the Assembly in 1699 and 1709 and by the Lower House in May, 1758 (*Ibid.*, XXII, 323; XXVII, 388, 390, 464; *Journal of the Commissioners for Trade and Plantations*, 1708/9-14/15, 267; *Calendar of State Papers, Colonial*, 1710-11, art. 840; *Archives*, LV, 676).

various sources. After removal of the government to Annapolis, in the winter of 1694-95, he had also an allowance for lodging. On the other hand, in 1714-15 and after 1751, he was burdened with certain yearly payments or "saddles," imposed by the proprietary.

Prior to 1671 several plans for payment of the Governor were begun and laid aside. Thereafter his income arose from certain port duties, eventually three of them, from a fee on marriage licenses, and from occasional gratuities given him by Assembly.

The port duties were proprietary revenue under Lord Baltimore's government and crown revenue under royal administration. Collected by the Naval Officers, they were paid to His Lordship's Agent and Receiver or to one of the Crown Receivers, as the case might be. These officials then paid all or a part of the produce to the Governor.

The earliest such duty, twelve pence sterling per hogshead on all tobacco exported, was enacted in April, 1671, for the general purpose of supporting government. It survived under different guises, and after 1733 with doubtful legality, down to the end of colonial times.⁶ Out of it His Lordship's Agent apparently paid the Governor, during the first proprietary period, a salary of uncertain amount. Early in the royal period an act of June, 1692, assigned to the Governor the entire twelve pence. But as by a previous royal order of August 26, 1691, three pence of it had been earmarked for purchase of arms, the Governor actually got only nine pence.⁷ This may have produced about £1200 a year.⁸ Soon after His Lordship's restoration a law of August, 1716, took off this deduction, by imposing a separate duty for arms, and Baltimore ordered his agent to pay the Governor, out of the whole twelve pence, a salary of £1000 sterling.⁹ From 1756, moreover, this Agent was to pay him the entire produce of the duty and, should it fall below this sum in any year, to

⁶ This duty should not be confused with another granted His Lordship at the same time as a partial equivalent for his quit-rents and alienation fines. On its rather complicated history see Mereness, *op. cit.*, 172-73, and Barker, *op. cit.*, *passim*.

⁷ *Archives*, VIII, 274; XIII, 437-39.

⁸ Such was the estimate of the Council of Trade and Plantations in a report of April 2, 1703 (*Calendar of State Papers, Colonial, 1702-03*, art. 536). For other estimates from 1700 to 1711 see M. S. Morriss, *Colonial Trade in Maryland, 1689-1715* (Baltimore, 1914), 48.

⁹ *Archives*, XXX, 466; XXXVIII, 431; XXXIX, 510.

make up the amount from other revenues.¹⁰ It seems actually to have brought in something over £ 1400 from year to year.¹¹

A second duty, of three pence sterling per hogshead, was granted by acts of Assembly to each successive Governor, for his incumbency, from June, 1692, to the close of Captain John Hart's administration in 1720. Thereafter, at Baltimore's suggestion, half of this three pence was applied to the support of free schools. It was now reenacted at three year intervals until September 29, 1739, when the last such law expired.¹² Later Governors got the three halfpence, but only now and then, under acts confined to a year's duration.¹³ This duty may have brought in about £ 500 a year until 1720 and thereafter, when granted, half that amount.¹⁴

A third duty, of three pence sterling per ton on all vessels, country bottoms excepted, was levied by a perpetual act of October, 1694, and was collected down to the end of colonial times.¹⁵ In 1767 Governor Sharpe valued its produce at £ 228.15.9 sterling.¹⁶

The granting of marriage licenses for a regular fee, originally twenty shillings but later twelve, was accorded Governor Lionel Copley by royal instructions of August 26, 1691. The vestry of each parish appointed some person to issue such licenses and to account to His Excellency for the profits.¹⁷ In 1767 Sharpe reported his income from this source at the surprisingly high figure of £ 341.4.0.¹⁸

Gratuities were given by act of Assembly and were raised in the public levy. In the earlier proprietary period Governor Charles Calvert received such a gift (1674/5) and Governor Thomas Notley another in 1678.¹⁹ Early in the royal period Nathaniel

¹⁰ The text of His Lordship's instructions to the Agent, dated Dec. 16, 1756, has apparently been lost, but these instructions are noted and confirmed in others of June 30, 1768 (*Ibid.*, XXXII, 401).

¹¹ For the precise amounts paid the Governor after 1755 see the Agents' accounts in the Calvert Papers as quoted in Barker, *op. cit.*, 383.

¹² *Archives*, XIII, 441; XXXIV, 7; XXXVI, 550; XL, 271.

¹³ Namely from Oct., 1742, to Oct. 31, 1743, from July 11, 1747, to Sept. 29, 1749, and from Nov., 1753, to Dec., 1754.

¹⁴ *Calendar of State Papers, Colonial, 1702-03, loc. cit.*; cf. Morriss, *op. cit.*, 48.

¹⁵ *Archives*, XIX, 114; XXVI, 360.

¹⁶ Horatio Sharpe, "An exact Estimate of the Annual Charge of . . . the Province of Maryland . . .," 1767 (Portfolio No. 3, folder 12a. Hall of Records, Annapolis).

¹⁷ *Archives*, VIII, 277; XX, 236; XXIII, 76; XXV, 10.

¹⁸ See note 16 above.

¹⁹ *Archives*, II, 432; VII, 47.

Blakiston got three successive gratuities, but on April 20, 1703, Queen Anne forbade the Governor's receiving any further presents.²⁰ After Baltimore's restoration the Assembly in 1718 voted John Hart £200 sterling for espousing the interest of the province against the Catholics, and in 1769 they gave Robert Eden \$800 currency as a mark of their esteem.²¹

It will appear that, after 1691, the Governor's gross income from all these sources, although it varied considerably, could hardly have fallen much below £1500 sterling, and that it must have risen at times to well above £2000. In his "Exact Estimate" of 1767, Sharpe rated it at £1861.²² This was not counting his allowance for house rent.

In the early proprietary period each incumbent had had a house of his own at St. Mary's. Lionel Copley, the first royal Governor, lived there in a house provided by Lord Baltimore.²³ Then after removal of the capital to Annapolis, under Francis Nicholson, the Assembly began to vote him an annual allowance for rent. This was to be just a temporary expedient till an executive mansion could be erected, but the parsimonious delegates refused to vote money for such a structure until the Paper Currency Act of April, 1733. Building a palace then became a means of getting this paper into circulation.

Unfortunately Governor Thomas Bladen, who had failed to get on with the Assembly anyway, now undertook to erect too large a house. In 1744, after laying out the whole sum of £4000 currency, he had to apply for half as much again, merely to complete the fabric. This the Lower House refused. While the Governor and delegates quarreled, the unfinished palace, now called "Bladen's Folly," sank into a long decay.²⁴

²⁰ *Ibid.*, XXII, 352; XXIV, 29, 229, 291, 329; XXIX, 357; *Calendar of State Papers, Colonial, 1702-03, loc. cit.*

²¹ *Archives*, XXXIII, 274; LXII, 124.

²² See note 16 above. The French and Indian War caused "a prodigious Decrease" in Gov. Sharpe's revenues. He estimated his entire income as chief executive in 1756 at £1400 sterling and in 1761 at £1200. In 1757 he complained that he was unable to save much over £300 a year. (Horatio Sharpe to William Sharpe, May 2, 1756; Sharpe to Board of Trade, Dec. 21, 1761; Sharpe to Lord Baltimore, June 30, 1757; *Ibid.*, VI, 400; XXXII, 27; IX, 35).

²³ The mansion Copley occupied had been built by Thomas Cornwalleyes and was called "St. Peter's," otherwise "the Great House" or "the Governor's Castle." Cf. *Ibid.*, XX, 120; VIII, 382; H. C. Forman, *Jamestown and St. Mary's, Buried Cities of Romance* (Baltimore, 1938), 253-56.

²⁴ For a history of this controversy see Mereness, *op. cit.*, 349-53. A description of the house in its unfinished state may be found in Andrew Burnaby, *Travels*

Thus the Governor's allowance for rent became a permanent charge upon the public levy. Yet it seems never to have been sufficient for the purpose. In 1698 Nicholson complained that he had received only £96.10.0 since his removal to Annapolis while the Governor of Virginia got £150 a year for rent.²⁵ In 1704 John Seymour was getting £30, and by Sharpe's time this allowance had risen to £80 currency, but it was never more. Sharpe was actually paying £100 a year for lodging, and his successor, Robert Eden, bought a house for something over £2000.²⁶ By this time, moreover, the Governor was burdened with other and larger expenses.

The proprietary's habit of imposing upon his officers a fixed annual payment, called a "saddle," began almost with the founding of Maryland and in later times became a troublesome feature of the patronage. Governor Hart had had to pay the Honorable Benedict Leonard Calvert, His Lordship's heir, £500 a year from his own arrival, in May, 1714, until Calvert's death a year later.²⁷ But it was not until December, 1751, that a permanent saddle was levied upon the chief executive.

On his succession to the title in that year Frederick, Lord Baltimore, had appointed his "beloved Uncle," Cecilius Calvert, to the office of Principal Secretary, residing in England. He then went about his pleasures, leaving the Secretary to manage his province. Now this officer had of late received no more than a salary of £100 paid by his deputy in Maryland; but as his responsibilities were now augmented, his remuneration had to be increased. An additional £350 was to be made up by saddles upon the Governor, the Commissary General, and the Judges of the Land Office. Of these Governor Ogle was asked to pay £200 sterling per annum by half-yearly installments.²⁸

Captain Horatio Sharpe, who came out two years later, became

through the Middle Settlements of North America, in the Years 1759 and 1760 (London, 1798). It later became the central edifice of St. John's College.

²⁵ Francis Nicholson to Board of Trade, Aug. 20, 1698 (*Archives*, XXIII, 493).

²⁶ *Ibid.*, XXVI, 204; LII, 403, 409; LXII, 231-32. Sharpe in 1756 and Eden in 1770 complained of this inadequate allowance but without effect. On the other hand a Governor, should he find the Lower House in a happy mood, might obtain something additional for repairs. Cf. *Ibid.*, XXVII, 6; XXX, 50.

²⁷ *Calendar of State Papers, Colonial, 1714-15*, arts. 200, 238.

²⁸ John Sharpe to Edmund Jenings, Dec. 20, 1751; Cecilius Calvert to Horatio Sharpe, Dec. 12, 1754; Instructions to Horatio Sharpe, March 30, 1753; Horatio Sharpe to William Sharpe, May 2, 1756 (*Calvert Papers*, II, 122; *Archives*, XXXI, 474; Portfolio No. 2, folder 4(1), Hall of Records; *Archives*, VI, 400).

liable for other saddles as well. Baltimore now insisted that he make an annual gift of £ 50 to Mrs. Jane Hyde and another of £ 100 to William Sharpe. After William's death this latter gift was paid to Philip Sharpe. Moreover, when in 1765 the Honorable Caroline Calvert married Captain Robert Eden, Baltimore gave him a pension of £ 100 sterling, payable again by the long-suffering Sharpe.²⁹

The President's revenue was less than that of a Governor. He received the whole income from the three pence per ton, and probably that from the sale of marriage licenses. But he had only half the normal Governor's share of the twelve pence and none of the three pence per hogshead. Moreover, as he was not required to live in Annapolis, he had no allowance for rent.³⁰

If, however, he should succeed to the offices of Chancellor and Surveyor General, as he would if he should follow a Governor who had held them, he might enjoy the entire income of these offices. He seems also to have been entitled to his *per diem* allowance as a member of the Council. However the Lower House, in 1716, so objected to Edward Lloyd's having drawn this double income, as President and as a Councillor, that it is unlikely his successors, Brooke, Tasker, and Lee, ever tried to collect their allowance in the latter capacity.³¹ The last two were doubtless liable for at least the Secretary's saddle of £ 200 a year.

3. HIS REVENUES AS CHANCELLOR AND AS SURVEYOR GENERAL.

Of these two offices the former, established April 15, 1637, by the proprietor's commission to Governor Leonard Calvert, was

²⁹ *Ibid.*, VI, 185; IX, 67; XIV, 261, 321, 477. Sharpe's income was of course materially increased when he began to receive the whole produce of the twelve pence per hogshead. Mrs. Hyde, His Lordship's aunt, was the wife of Col. John Hyde of Kingston Lisle, Berkshire; she died in 1778. Caroline Calvert was his Lordship's sister. Horatio, William, and Philip Sharpe were brothers of John Sharpe, one of Lord Baltimore's former guardians. William died in 1767. In 1768 Sharpe was dismissed to provide a place for Eden.

³⁰ *Ibid.*, VIII, 274; XXIII, 542-43; XXV, 353-57; XXXIII, 9, 631-32; XXXVIII, 431-32. Between the death of Gov. Copley, Sept. 9, 1693, and the arrival of Gov. Nicholson, July 26, 1694, there were three Presidents: Sir Thomas Lawrence, Sir Edmund Andros, and Col. Nicholas Greenberry. They received out of the twelve pence duty £ 50, £ 50, and £ 150 sterling respectively (*Ibid.*, XIX, 459, 466; XX, 57).

³¹ *Ibid.*, XXX, 385, 425, 442; XXXIII, 409. Maj. Gen. Lloyd was President from the death of Gov. Seymour, July 30, 1709, to the arrival of Gov. Hart,

the more important and the more lucrative. Prior to April 15, 1668, when the Governor and Council set up a table of his fees, the Chancellor had apparently received, for his trouble in holding court, a third of the proprietary quit-rents.³² Thereafter his income arose almost entirely from the tobacco fees so established. These were payable for his signing of legal documents and for his affixing the great seal to land patents, commissions, and so forth.³³

Those fees originally settled upon him were somewhat reduced in the general fee act of June, 1676; but two years later, by an order in Council of October 21, 1678, certain others were added.³⁴ The Inspection Law of 1747 again reduced his fees, to from three-fourths to four-fifths of their former amount; and that of 1753, took off certain fractions for greater ease in accounting.

At the inception of royal government His Lordship's seal, hitherto kept by the Chancellor, ceased to be the great seal of the province. It was then retained by the Proprietary Agent, for use in land affairs. The Chancellor received a new seal, bearing the royal arms.³⁵ Under an arrangement negotiated by Solicitor General Sir Thomas Trevor, and confirmed in a royal order of February 13, 1695/6, land patents were to bear the proprietary seal alone, but the fee for sealing them was to be equally divided between His Lordship's Agent and the Chancellor.³⁶ When, late in 1715, Lord Baltimore was restored to his government, his seal

May 29, 1714. During this period his Councillor's allowance and itinerant charges amounted to £52.13.6 and 29,580 pounds of tobacco. After 1747 Councillors were allowed in the public levy only for attendance in the Upper House of Assembly and not for meetings of the Council as such. On Lloyd's successors see note 4 above.

³² Cf. Charles Calvert to Lord Baltimore, April 27, 1664 (*Calvert Papers*, I, 237). The proclamation of 1668 is in *Archives*, V, 28. On April 20, 1669, the delegates complained of the settling of fees in this manner, but they were apparently satisfied with an explanation offered by the Upper House (*Ibid.*, II, 169, 176).

³³ He also prepared, sealed, and sent to each sheriff a copy of the laws made at each session of Assembly. Previously a duty of the Secretary, this function was assigned to the Chancellor by an act of May, 1666, confirmed by another of June, 1715. The practice continued throughout the colonial period although printed session laws had earlier appeared and were later published regularly after every session. Cf. *Ibid.*, II, 133; XIII, 467; XXV, 294; XXVI, 191-94; XXX, 471.

³⁴ *Ibid.*, XV, 203.

³⁵ *Ibid.*, VIII, 371, 451. At the moment of the Protestant Revolution, Aug. 1, 1689, the provincial Chancellor and the proprietary Agent and Receiver happened to be one and the same person, Col. Henry Darnall I. The new royal seal arrived on Oct. 1, 1692.

³⁶ *Ibid.*, XX, 434.

again became the great seal of the province. The Chancellor, once more a proprietary official, then recovered it and had again the whole fee for its use.³⁷

The revenues of this officer were however in some part reduced by a law of June, 1715, which excluded from his Chancery Court all cases involving a damage of less than 1201 pounds of tobacco or £ 5.0.1 sterling. A later act, in November, 1763, gave the county courts concurrent jurisdiction whenever the sum involved was not above 5000 pounds of tobacco or £ 20 sterling.

No saddle was levied upon the Chancellor as such, but out of his profits he had to bear the expenses of his office. He had to maintain his court, to purchase wax, and, after May, 1695, to pay his clerk, called the Register in Chancery, a salary of £ 80 or £ 100 sterling.³⁸

As the Chancellor's office was normally attached to that of Governor, we have but two estimates of its separate value. In 1715, when he was getting only half the revenue from land patents, Governor Hart declared that the "Fees have in some Years amounted to fifty Thousand pounds of Tobacco per Annum [about £ 200 sterling] Seldom more but very often less. . . ." ³⁹ In the midst of the French and Indian War Governor Sharpe, who complained of "the prodigious Decrease of my Revenue since these Disturbances began in America," wrote to Baltimore: "I have been told that the Tobacco which has been paid the Chancellor in one Year for signing Patents for Land . . . in Frederick County has been worth near a hundred Pounds & I can assure your Lordship that all the Fees which I receive in a year as Chancellor do not amount to the sum that I am ordered to pay annually to Mr. Calvert [that is, £ 200]." ⁴⁰

The post of Surveyor General, a private office attached to the proprietary revenue establishment, will be examined at length in

³⁷ *Ibid.*, XXV, 323.

³⁸ Prior to this date the Clerk of the Secretary's Office was also Register in Chancery. The registry then became a separate place of profit on the appointment of John Freeman (Chancery Record, liber 2, folio 295, Md. Land Office; *Archives*, XX, 233). The last colonial Register, James Brooks, appointed Dec. 10, 1767, resigned in September, 1776. In 1715 the usual salary of a superior clerk, paid in tobacco, amounted to about £ 80 or £ 90 sterling. By 1760 it was more apt to be £ 100. Cf. *Ibid.*, XXV, 321; IX, 414.

³⁹ See his report to Lords Baltimore and Guilford, Sept. 3, 1715 (*Ibid.*, XXV, 319).

⁴⁰ Horatio Sharpe to Lord Baltimore, Aug. 1, 1757 (*Ibid.*, IX, 65).

a subsequent chapter. It had at first been filled by the Secretary, but it had been made a separate office in 1641/2 and in 1697 had been divided between two incumbents, one for each shore. Meanwhile it had become a sinecure with no function but the appointment and occasional instruction of deputies.

In January, 1716/17, soon after His Lordship's restoration, Governor John Hart received the Surveyorship General of the Eastern Shore. In June, 1726, Governor Charles Calvert exchanged this for the more lucrative Western Surveyorship. Just at the end of the colonial period, in May, 1774, Governor Eden gave up the office by appointing to it one Robert Smith of Annapolis.⁴¹

As Surveyor General the Governor might collect from each deputy on his shore either a fixed salary or half the incumbent's fees. In later colonial times this brought him in from £120 to £130 a year.⁴²

The total net value of the chief executive's office, uniting those of Governor and Chancellor, may have amounted to £1800 or £2000 during the royal period. After Baltimore's restoration this office, now embracing those of Governor, Chancellor, and Surveyor General, may have brought in from £2000 to £2300. It was in any case by far the most lucrative place of profit in Maryland. But the Governor earned every penny of it. His job was ticklish and his tenure highly uncertain. Sooner or later, between trying to please the proprietor and the delegates, he could count on pleasing neither.

⁴¹ *Ibid.*, XXV, 344, 346; Warrants, liber BB, folio 49; Patent Record, liber EI, No. 3, folio 315 (Md. Land Office); Commission Book No. 83, folio 8 (Hall of Records). Hart was appointed Surveyor General for both shores Oct. 11, 1716, and took office Jan. 11, 1716/17. He then relinquished the Western office to Thomas Bordley, May 20, 1717. Between Calvert's assumption of the Western Surveyorship and Eden's relinquishment of it, two persons served in this capacity who were not chief executives. These were Joshua George, from December, 1746, to December, 1748, and George Lee, from November, 1768, till late in 1771.

⁴² See chapter VIII, note 46.

CHAPTER IV

THE TWO SECRETARIES

WE HAVE SEEN that with the post of Secretary there were at first united several other places of profit. Thus from the secretariat were taken the offices of Surveyor General (March, 1641/2), Agent and Receiver General (August, 1651), Attorney General (September, 1657), Commissary General (April, 1673), Naval Officer (June, 1676), and Rent Roll Keeper (August, 1689). After October, 1663, the Secretary was also notary public.

Until January, 1705/6, save for two brief intervals, the Secretary lived in Maryland, and Lord Baltimore, when in England, kept a private clerk.¹ After this date the office was divided between a Principal Secretary, residing in England, and a Deputy Secretary in Maryland. The deputy took all fees and perquisites, except ordinary license fines, and paid his principal a salary. The principal received this salary, the ordinary license fines (when he could get them), and after 1751 the produce of certain saddles upon the Governor and other high officials.

On Lord Baltimore's restoration in 1715 the Principal Secretary succeeded to the duties of His Lordship's private clerk; and the deputy, once more a proprietary officer, assumed in 1717 the additional style of Judge of the Land Office. This title was however taken from him on the appointment of a separate Judge in December, 1738. The deputy remained custodian of the Provincial Court records, and he retained appointment of his own clerk and of the clerks of the several counties. The last such officer, Daniel Dulany the Younger, was sworn in on June 22, 1761. His office was omitted from the Constitution of 1776. Dulany himself, a loyalist, was in 1781 presented for high treason, and his estates were confiscated.

For ease and clarity we shall employ the terms "Secretary in Maryland," meaning the Secretary prior to 1705/6 and the Deputy Secretary thereafter, and "Secretary in England," meaning the Principal Secretary. Let us now examine the revenues of these officials.

¹ The name of one of these clerks appears on documents of 1649 and 1649/50 (*Archives*, III, 240, 252). See also note 26 below.

1. THE SECRETARY IN MARYLAND, 1637-1776.

The income of this officer was large in amount and complicated in its nature. Throughout the colonial period, however, the core of his revenue, if we may so describe it, consisted of fees arising from his duties as keeper of the Provincial Court records (and until 1738 of the land records) and as chief notary public. Other sources of his income were the ordinary license fines (1676-1703), a saddle on attorneys in the Provincial Court (1676-89), and payments arising from his appointment of deputy notaries and county clerks. He was obliged, on the other hand, to bear the expenses of his office and, after 1705/6, to pay a salary to his principal in England.

The fees of the Secretary were first regulated under the general fee act of March, 1638/9, and were thereafter, by other acts and by the proclamation of 1642, gradually augmented. They were all again codified, and raised to some extent, in the law of June, 1676.² By a subsequent general act in June, 1719, these were reduced to from three-fourths to four-fifths of their former value. In the Inspection Act of July, 1747, they were similarly reduced from the values earlier assigned them. The Secretary's income meanwhile had suffered some reduction through those acts of Assembly which extended the jurisdiction of the county courts and limited that of the Provincial Court.³

During the early proprietary period the Secretary was not only a public officer but, as keeper of the land records, a private officer of the proprietary and a member of Lord Baltimore's revenue establishment.

At the beginning of royal administration, however, Crown Secretary Sir Thomas Lawrence, a purely public officer, obtained possession of the Patent Record and proceeded to exercise all those functions in the granting of lands formerly done by His Lordship's Secretary. Colonel Henry Darnall, on the other hand, as Proprietary Agent and Receiver General, not only claimed custody of the land records but demanded all fees for the issue of warrants, entering of certificates, and drawing of patents.

An agreement between Baltimore and Lawrence, negotiated by

² For the different fees settled on the Secretary prior to 1676 see *Ibid.*, I, 58, 83, 108, 163, 289, 311, 360, 454, 498; II, 142, 157, 337.

³ Cf. *Ibid.*, XXXIII, 357; and Mereness, *op. cit.*, 237-41.

Sir Thomas Trevor, His Majesty's Solicitor General, was confirmed by order of the King in Council, February 13, 1695/6. The Crown Secretary was to retain those land records he possessed but was to give His Lordship's officers free access to them. These in turn might prepare and pass land warrants, certificates, and patents but were required to render half of all fees to the Secretary.⁴ This official had, consequently, during the royal period, half those fees in territorial affairs which had earlier belonged to his office.

On the restoration of Lord Baltimore's government in 1715 the Secretary in Maryland resumed his former duties in land matters together with the whole fees attached. We have seen that, in this restored capacity, he now assumed, about June, 1717, the title of Judge of the Land Office. But title and fees were taken from him on the appointment of a separate Judge in December, 1738.

In 1676 Baltimore had established separate naval offices and by a proclamation of June tenth had given Secretary William Calvert, instead, all income from ordinary license fines. These were tobacco fees paid by inn-holders for an annual license to keep ordinary, and they were worth at that date perhaps £ 60 a year. They remained to the Secretary in Maryland until October, 1703. Thereafter, when granted, they were a perquisite of the Secretary in England.⁵

By the same proclamation each attorney in the Provincial Court was required to pay Calvert 1200 pounds of tobacco a year, or about £ 5 sterling. This saddle on attorneys was continued to Secretaries Sewall and Darnall, but it ended with the revolution of 1689.⁶

As chief public notary the Secretary derived some income from the appointment of deputies in Annapolis and in the counties. The terms of such appointment are uncertain, but they were probably similar to those imposed on the county clerks.⁷ Now appointment of these clerks was the Secretary's chief supple-

⁴ *Archives*, XIX, 94; XX, 434, 530-31.

⁵ *Ibid.*, XV, 79. Ordinary license fines had been issued by the Governor from 1654 or earlier, and the fines paid for them had been one of Baltimore's perquisites (*Ibid.*, III, 303; V, 123; XV, 22). On their value see the references in note 38 below.

⁶ *Ibid.*, XV, 79; Provincial Court Judgments, liber 1, folio 762 (Hall of Records).

⁷ The only surviving commissions to deputy notaries are those issued by Sir Thomas Lawrence in 1698; they bind the deputy to render him a full half of the profits (*Archives*, XXIII, 424-26).

mentary source of revenue. Yet the legality of this branch of his income was never clearly established, and from time to time it was publicly challenged.

Apparently the Governor appointed county clerks prior to 1668, usually in commissions to the local court and without reference to the Secretary. In 1668, 1669, and 1670 the Governor was himself Secretary; and from that time until 1682/3 he appointed county clerks at the Secretary's nomination and during that officer's pleasure.⁸ After 1682/3 the Secretary himself appointed the clerks except in rare emergencies. However, under His Lordship's orders of February 22, 1738/9, and later, such appointments required the Governor's approval. Under further orders of April 17, 1754, the clerks were to hold office only during Baltimore's pleasure.⁹ The state Constitution of 1776 was to give the appointment of such clerks to the justices of each county court.

The Secretary's sale of clerkships began in the first proprietary period, for we find that, as early as 1671, Secretary Sir William Talbot could grant his deputy "the liberty to sell, vend and dispose of any County Clerk's Place. . . ." ¹⁰ Although this practice was forbidden to Sir Thomas Lawrence, the first Crown Secretary, he chose to continue it.¹¹ However, in the eighteenth century, as the clerk's tenure became more secure and long incumbencies became the rule, opportunities for sale of these offices became less frequent. When a clerkship did fall vacant, the Secretary might give it away to a friend or relative, or sell it to someone else for a sum proportionate to its value.¹²

In his instructions of December 21, 1691, Secretary Lawrence was allowed, because he had to give security for the clerk's behavior, "to receive yearly a fee or Gratuity of the tenth part of one years Value . . . of each place from such Clerks as shall be nominated by him, the said Value to be estimated by the Governor and Council upon a vacancy." ¹³ Actually Sir Thomas demanded

⁸ Cf. *Ibid.*, V, 87-89.

⁹ *Ibid.*, XL, 595; Calvert Paper No. 525 (MS. Md. Historical Society).

¹⁰ *Archives*, V, 89.

¹¹ Indeed Sir Thomas valued the mere disposition of clerkships at £1000 sterling. Cf. *Calendar of State Papers, Colonial*, 1689-92, art. 2562; 1693-96, art. 263; *Archives*, VIII, 384-86, 401-03, 409; XXVII, 435; XXIX, 64.

¹² The practices of Deputy Secretary Edmund Jenings (1733-54) and Deputy Secretary Benjamin Tasker (1756-60) are described in Daniel Dulany, "The Case of Mr. Dennis Dulany," 1760 (Dulany Papers, Md. Historical Society).

¹³ *Archives*, VIII, 409.

a tenth of *all* the county clerkships, and his successors followed this example. As these offices were worth annually, at a modest computation, from £ 80 to £ 250 sterling apiece, the total gratuity amounted to a substantial sum. For instance, in 1754 Secretary Edmund Jenings received from this source £ 438.15.11¼ currency, or about £ 230 sterling.¹⁴

Such a system of sale and gratuity proved a minor annoyance to the people. In the earlier proprietary period, and under crown rule, it was the sale of offices which occasioned protest, because the practice brought in unqualified incumbents who, because of their investment, felt obliged to overcharge the people.¹⁵ Under the restored proprietary little was said about the sale of clerkships, as such, but in 1728 a committee of the Lower House protested the incompetence of some appointees.¹⁶ It was perhaps in a hope of preventing these complaints that Baltimore required his chief executive to approve all such appointments. Again in 1750 the Lower House inquired into the origin of the Secretary's tenth of the clerks' fees, but they apparently were satisfied with that officer's explanation.¹⁷

Out of his gross income the Secretary in Maryland had to pay a salary and the routine expenses of his office. John Lewger's successors seem to have paid him an annual sum until his death in 1665; and from an uncertain date until then or later they paid a saddle to Cecilius Langford.¹⁸ After 1705/6, when he became a deputy, the Secretary in Maryland had to support his principal. Of this salary more anon. We shall see that it was probably £ 200 sterling a year until Edmund Jenings's appointment in 1732/3, £ 100 thereafter through 1751, £ 50 in 1752 through 1754, and then £ 200 until the Revolution.

The routine expenses of the office included purchase of writing

¹⁴ Portfolio No. 3, folder 30 (Hall of Records).

¹⁵ See the "Additional Articles . . . against the Lord Baltimore and his Deputies," 1690, in *Archives*, VIII, 219. On the behavior of Secretary Lawrence and the protests of Assembly and Council see the references in note 11, above.

¹⁶ *Ibid.*, XXXVI, 259. See also Samuel Ogle to Lord Baltimore, Jan. 10, 1731/2 (*Calvert Papers*, II, 83) and the case of John Leeds, May, 1739 (*Archives*, XL, 205, 206, 288, 300). In 1773 Charles Carroll of Annapolis was still complaining about the quality of the county clerks (*Maryland Historical Magazine*, XV [1920], 285).

¹⁷ *Archives*, XLVI, 385-91. Cf. Daniel Dulany, "The Case of Mr. Dennis Dulany," 1760 (Dulany Papers).

¹⁸ Cf. Charles Calvert to Lord Baltimore, April 27, 1664 (*Calvert Papers*, I, MHS "Fund Pub. No. 28," [1889] 231).

materials, paper, and record books and the hire of a register, who was called Clerk of the Secretary's Office and of the Provincial Court. During the earlier proprietary period this clerk received some part, often a third, of the office fees. Under royal administration he acquired instead an annual salary.¹⁹ The clerk in turn employed and paid such "clerks assistant" as he might require.²⁰

There are many contemporary estimates of the value of this office which, next to the chief executive's place, was the most lucrative in Maryland. The income may have been £ 400 sterling in 1672 and £ 1000 in 1725.²¹ Edmund Jenings, as Deputy Secretary, earned about £ 800 sterling in 1745 and £ 1274.17.3 currency in 1754.²² The average revenue from 1745 through 1752 was £ 781 sterling, and that from 1763 through 1769 was £ 1116 sterling.²³

All of these figures represent gross income. To determine the net income one must deduct that particular salary payable at the time to the principal and the office expenses which, in the eighteenth century, may have amounted to about £ 200 a year.²⁴

In 1770 the Deputy Secretary, Commissary General, and Judges of the Land Office proposed to give up all fees and perquisites in exchange for a salary of £ 600 sterling apiece. This offer the Lower House refused, partly because they thought the sum too high, partly because they feared that salaried officers might neglect their duties.²⁵

¹⁹ Cf. Instructions to Daniel Jenifer, Feb. 18, 1667/8, and commission to John Blomfield, May 1, 1669 (*Archives*, V, 24, 49); and Gov. John Hart's account of the Maryland offices in 1715 (*Ibid.*, XXV, 320). In 1755 the Clerk of the Secretary's Office seems to have been receiving a part of the fees: cf. Cecilius Calvert to Horatio Sharpe, May 20, 1755 (*Ibid.*, XXXI, 481).

²⁰ Horatio Sharpe to Hugh Hamersley, July 25, 1768 (*Ibid.*, XIV, 517).

²¹ Charles Calvert to Lord Baltimore, April 26, 1672 (*Calvert Papers*, I, 257); *Archives*, XXXV, 235.

²² These figures are derived from "A List of the Several Offices . . . in Maryland, with their Revenues," Massachusetts Historical Society, *Collections*, series I, vol. VII (1801), 202-03, and "A List of Civil Officers in Maryland, 1754," Portfolio No. 3, folder 30 (Hall of Records). The former list bears no date, but as it refers to thirteen counties, it must have been prepared between 1742 and 1748. The decline in the Deputy Secretary's income between 1725 and 1745 may be attributable to the setting up of the Judgeship of the Land Office as a separate place of profit in 1738.

²³ These averages are derived from figures in tobacco presented by committees of the Lower House on Oct. 23, 1753, and Oct. 3, 1770 (*Archives*, L, 183; LXII, 218). The latter list was published in the *Maryland Gazette*, Nov. 29, 1770.

²⁴ Other contemporary estimates, of doubtful accuracy, may be found in Cecilius Calvert to Horatio Sharpe, Dec. 12, 1754, and Dec. 2, 1760; and Horatio Sharpe to Board of Trade, 1761 (*Archives*, XXXI, 475; IX, 467; XXXII, 27).

²⁵ *Ibid.*, LXII, 353, 368, 390, 395. Cf. Charles Carroll of Annapolis to Charles

2. THE SECRETARY IN ENGLAND, 1706-1776.

This office arose on Sir Thomas Lawrence's final return home, in January, 1705/6, leaving Colonel Philemon Lloyd to be his deputy in Maryland.²⁶ After Lawrence died, in April, 1714, his successor, Thomas Beake of London, solicited and obtained a restoration of the government to the Lords Baltimore. For this service he was promised a life appointment, but he was obliged to share his office first with Charles Lowe and then with the Honorable Cecilius Calvert. On Beake's death, in or shortly before February, 1732/3, the post reverted to a single incumbent and was then held in succession by William Janssen, John Browning, Cecilius Calvert, and Hugh Hamersley. The last named, His Lordship's family solicitor, was appointed November 4, 1765. Hamersley's office ended with the collapse of proprietary government, and he died in 1789.

We have seen that the Principal Secretary's income arose from three sources: a salary paid by his deputy, saddles paid by other officers, and the ordinary license fines.

We may suppose that Colonel Lloyd paid Sir Thomas £ 200 sterling a year, for it was this sum that he agreed to pay Lawrence's successors, Beake and Lowe.²⁷ Thereafter the amount of this salary becomes an index of the influence of each party upon the Lord Proprietor. Edmund Jenings, a particular favorite of Baltimore's, who in March, 1732/3, succeeded Lloyd as Deputy Secretary, first got the salary reduced, probably at his appointment, to £ 100. (The Principal Secretaryship was now placed in the hands of one person instead of two.) Jenings then persuaded His Lordship to dispense with any payment until he could get another office to augment his personal income. Baltimore himself may have paid the salary until 1744 or later.²⁸ More-

Carroll of Carrollton, Nov. 2, 1770 (*Maryland Historical Magazine*, XIII [1918], 69).

²⁶ Provincial Court Record, liber TL, No. 2, folio 987 (Md. Land Office). The Secretary had twice before been absent from the province. When Sir William Talbot returned to Ireland in June, 1671, he left Robert Ridgely as his deputy (*Archives*, V, 87). Ridgely ceased to act about April, 1673, when Baltimore revoked Talbot's commission as Secretary. During Sir Thomas Lawrence's first absence, from Oct., 1694, to Aug., 1696, Col. Thomas Brooke II acted as his deputy (*Ibid.*, XIX, 99).

²⁷ *Ibid.*, XXXIII, 523.

²⁸ Cf. Edmund Jenings to Lord Baltimore, Aug. 28, 1744, and Horatio Sharpe to William Sharpe, July 6, 1757 (*Ibid.*, XLII, 670; IX, 48).

over, on the appointment of Cecilius Calvert to the Principal Secretary's place (1751), Jenings was asked to pay only £ 50 of the whole sum of £ 450 now settled upon Calvert. When, late in 1754, Jenings resigned, his successor, Colonel George Plater, was obliged to pay the former salary of £ 200 a year.²⁹

After Calvert's appointment the Principal Secretary, residing in England, became a dominant figure in Maryland affairs. For from this date forward the proprietary himself was, in the person of Frederick, a mere idler and afterward, in person of the bastard Henry Harford, an infant minor. As the powers and duties, as well as the revenue, of the Principal Secretary were thus materially increased, he now possessed the influence to raise his income yet higher.

Although by the original settlement of December, 1751, the deputy's obligation was reduced to £ 50 a year, the Governor had now to pay a saddle of £ 200, the Commissary General £ 100, and the two Judges of the Land Office jointly another £ 100.³⁰ Soon, too, the Agent and Receiver General, probably on appointment of Colonel Edward Lloyd in March, 1753, was asked to pay £ 50 per annum.³¹ The deputy's liability was raised next year, on appointment of Plater, to £ 200 sterling. The Principal Secretary's revenue, from his salary and saddles combined, thus rose from £ 450 to £ 500 in 1753, and in the following year to £ 650. At this figure it remained until the Revolution.³²

Calvert indeed tried to raise the salary, paid by his deputy, to £ 300 a year in 1754, and again on appointment of Daniel Dulany the Younger in 1761. Dulany, however, enjoyed some influence of his own; his friendship was courted and his displeasure feared. So although he agreed at first to pay this amount, it is unlikely that he paid more than the previous sum of £ 200.³³ Moreover, on the death of Calvert and the appointment of Hamersley,

²⁹ On the rise of the salary payable by the Deputy Secretary see the Sharpe correspondence as follows: *Ibid.*, VI, 182, 209, 335; XXXI, 486.

³⁰ Cf. John Sharpe to Edmund Jenings, Dec. 20, 1751 (*Calvert Papers*, II, 122).

³¹ Our only reference to the Agent's saddle of £ 50 appears in Baltimore's instructions to Gov. Sharpe, Dec. 20 and 27, 1760 (Portfolio No. 3, folder 5, Md. Hall of Records) but it was evidently imposed at an earlier date.

³² Sharpe, in a letter to his brother William, July 6, 1757, erroneously quotes Cecilius Calvert's income at £ 750 per annum (*Archives*, IX, 48).

³³ Cf. Cecilius Calvert to Horatio Sharpe, Dec. 29, 1760; Horatio Sharpe to Cecilius Calvert, June 22, 1761; and Bond of Daniel Dulany, June 22, 1761 (*Ibid.*, IX, 478, 522; Calvert Paper No. 648, Md. Historical Society).

Dulany refused to pay more than £ 100. Baltimore at first tried to impose the other hundred upon his newly appointed Commissary General, but as this officer was Walter Dulany, Daniel's brother, His Lordship was at last obliged to take it upon himself.³⁴

As for the ordinary license fines, we have seen that they were given to the Secretary in Maryland in June, 1676. Their history, after the organization of royal government, was a stormy one. In 1692 the Lower House, which from this date was to maintain that such license fines belonged to the province, procured an act settling them on the Governor. However, Sir Thomas Lawrence, the new Secretary, having persuaded home authorities that they were an ancient perquisite of his office, now obtained an order of the King in Council to disallow the act disposing of them. He then secured them himself, first by order of the Governor and Council, September 27, 1693, and then by an act of October, 1694.³⁵ His victory was nonetheless shortlived, for in October, 1703, the Assembly allowed this act to expire, and in the following year they settled these license fines upon the county courts.

In 1705/6 Sir Thomas, still claiming the fines to be his own, ceased to be Secretary in Maryland and became Secretary in England. There followed a long and singularly tiresome dispute between Lawrence and the Queen in Council on the one hand and the Maryland Assembly on the other. It was still unsettled when, to the relief of all parties, Sir Thomas died.

Next year proprietary government was reestablished. Baltimore, however, acting through Lord Guilford, his guardian, having settled the license fines by commission on his two Principal Secretaries, Beake and Lowe, could now obtain them from the Assembly only by accepting (in 1717) a preamble which neither affirmed nor denied his "undoubted right."³⁶ In October, 1727, this act was suffered to expire. The fines were given to Baltimore, for the Principal Secretary, only once again, by a law of April, 1735, expiring five years later.

Thus the proprietary's failure to establish a clear title in 1717 was eventually fatal to his claim; and his Principal Secretary

³⁴ Cf. Horatio Sharpe to Lord Baltimore, Feb. 10, 1766, and Aug. 6, 1766; Hugh Hamersley to Horatio Sharpe, Nov. 8, 1766 (*Archives*, XIV, 260, 324, 344); Hugh Hamersley to Walter Dulany, March 28, 1768, and Aug. 1, 1769; Walter Dulany to Hugh Hamersley, Aug. 1, 1769 (Dulany Papers).

³⁵ *Archives*, VIII, 386, 420, 438, 451; XX, 11, 13.

³⁶ *Ibid.*, XXX, 434, 444; XXXIII, 10, 19, 20, 34-37.

actually received the license fines only from June, 1717, to October, 1727, and from April, 1735, to June, 1740. Over Baltimore's protest the Assembly appropriated them in supply acts of 1740, 1746, and 1756. Ten years later, on the advice of Governor and Council, the proprietor expressly abandoned this claim.³⁷ By a law of June, 1768, the Assembly then applied these fines to defraying the public charge; and under this disposition they continued until 1780.

Sir Thomas Lawrence had valued the fines at about £ 150 sterling a year, but they were probably worth much less. County courts would fail to take good security for their payment, and the tobacco was often of poor quality. Moreover it lay dispersed in the several counties and had to be collected by the sheriffs. According to Governor and Council the fines produced a net income of about £ 63 sterling a year from 1703 to 1708.³⁸ They doubtless brought in somewhat more in the second proprietary period.

If we assume that Sir Thomas had a salary of £ 200 and rate the license fines at £ 70 a year, then the full net income of the Secretary in England, reckoned in sterling, was as follows:

£ 200 per year	1706 through 1716
270 per year	1717 through 1727
200 per year	1728 through 1732
100 per year	1733 and 1734
170 per year	1735 through 1740
100 per year	1741 through 1751
450 per year	1752 and 1753
500 per year	1754 only and
650 per year	1755 through 1775

If again we recall that from 1715 through 1732 this revenue was divided between joint incumbents, it will appear that the office was not one of great value until the appointment of Cecilius Calvert late in 1751. Thereafter the Principal Secretary's influence was so great that he could obtain a much augmented income at his appointment and could substantially increase it in later years.

³⁷ *Calvert Papers*, II, 239, 251; *Archives*, XXXII, 143-47; XIV, 308, 327-28, 354. For a more detailed treatment of the ordinary license fines as a political issue see Mereness, *op. cit.*, 353-60, and Barker, *op. cit.*, *passim*.

³⁸ *Archives*, XXV, 247-8; *Calendar of State Papers, Colonial*, 1708-09, art. 131.

CHAPTER V

OTHERS GREAT AND SMALL

STILL WITHIN the central governing body were the rather important offices of Commissary General and Attorney General and a number of places—other than clerkships—which were not important.

1. THE COMMISSARY GENERAL.

It was only in 1693, at the beginning of the royal period, that this officer, often called the Judge of Probate, emerged an independent member of the government. However, as early as January 24, 1637/8, Secretary Lewger had been appointed "Commissioner in Causes Testamentary," and in March of the following year the Assembly confirmed his power to prove wills and grant letters of administration.¹ On April 24, 1673, this post was taken from the Secretary and united with the Chancellorship, which had been earlier taken from the chief executive.² Soon thereafter a separate clerk was appointed to maintain the records of the Prerogative Office. At the collapse of proprietary government, August 1, 1689, the combined offices of Chancellor and Judge of Probate fell into abeyance.

William and Mary, by their commission of June 27, 1691, now appointed Colonel Lionel Copley Governor, Chancellor, and Commissary General; and he in turn bestowed the two latter offices, in October, 1692, on Colonel Nehemiah Blakiston.³ Copley's successor, President Sir Edmund Andros, divided these places and, by a commission of October 3, 1693, made Kenelm Cheseldyne the first separate Commissary General.⁴ Until January, 1756, the post was frequently held by two or more joint incumbents. The last Judge of Probate, Colonel William Fitzhugh, was appointed September 23, 1773. The Constitution of 1776 made no provision

¹ *Archives*, III, 60.

² *Ibid.*, XV, 24. The office of Commissary had previously been transferred from the Secretary to the Governor by an act of August, 1641, but it had reverted to the Secretary on expiration of this law in March, 1641/2.

³ *Ibid.*, VIII, 263, 371, 451; Testamentary Proceedings, liber 14a, folio 5 (Hall of Records).

⁴ *Archives*, XX, 5, 30.

for his office, and an act of April, in the following year, expressly abolished it.

The fees of the Commissary were first established by an act of March, 1638/9, and were then confirmed by the Governor's proclamation of August 2, 1642.⁵ Early in the royal period these and other charges were embodied in the general fee act of June, 1692. Under the restored proprietary another fee law, that of June, 1719, reduced them about twenty-five percent; and the Inspection Act of 1747 again brought them down, to about three-fourths to four-fifths of their former value in tobacco.

At the inception of royal government a law of June, 1692, had met a long felt need by providing a Deputy Commissary in each county. This officer was to be appointed by his principal, but after 1743 such appointment required the Governor's approval.⁶ Normally the deputy could grant letters of administration on all estates, but if a dispute arose, only his principal could decide between the parties. An act of July, 1699, further empowered him to pass accounts of those estates whose value was not above £ 50 sterling, and the Inspection Law of 1747 raised this sum to £ 150 currency, or about £ 75 sterling. If the value were more, he usually obtained from the Commissary a special commission for passing the account. On "pauper estates" the deputy could charge but a third of his normal fee, and his principal, after July, 1699, received no fee at all. The deputies commonly held office for life through nominally at the Commissary's pleasure. In 1760 Governor Sharpe supposed three of them might be getting £ 50 sterling a year and the others from £ 10 to £ 30.⁷ Under the Constitution of 1776 the Deputy Commissaries were succeeded by Registers of Wills, nominated by the two houses of Assembly, jointly, and appointed by the Governor.

At the establishment of deputies it had been the sense of Governor and Upper House that, as these officers were appointed

⁵ A more complete table of somewhat higher charges, admitted by the Governor June 26, 1673, was confirmed by an act of June, 1676, and was supplemented by additional fees, again admitted by the Governor, Oct. 21, 1678 (*Ibid.*, I, 57, 163; XV, 27, 204; II 532).

⁶ Instructions to Gov. Thomas Bladen, Dec. 28, 1743 (*Ibid.*, XLII, 659).

⁷ Horatio Sharpe to Cecilius Calvert, July 7, 1760 (*Ibid.*, IX, 427). Sharpe probably understated the values of these places when on Dec. 21, 1761, he reported to the Board of Trade that they were worth £ 10 to £ 20 sterling a year and again when on July 25, 1768, writing to Secretary Hugh Hamersley, he valued them at £ 20 to £ 30 (*Ibid.*, XXXII, 27; XIV, 518).

for the convenience of the public, they ought not to infringe upon the Commissary's income. So for each act performed by a deputy the principal might charge his own fee, except on pauper estates after 1699.

It was about this practice, and about the extent of the deputy's powers, that the two houses disagreed. Pleading convenience to the people, the Lower House tried to push the deputy's jurisdiction upward; as a saving to the public they sought to forbid the principal's taking any fee for acts of his deputy. We have seen that the former proposal won a limited victory in the Inspection Law of 1747. The latter suggestion, constantly opposed in the Upper House, was agitated in 1745, 1747, and 1753.⁸ It was a principal issue in the fee controversy under Governor Eden.

Meanwhile the Commissaryship, though lucrative, had proved to be a place of some expense and more trouble. Besides providing paper and writing materials this officer had to pay his register, called the Clerk of the Prerogative Office, who in turn would hire two or more clerks assistant. Moreover, from 1731 he was burdened with a saddle, payable at first to Lord Baltimore and later to the Principal Secretary. This annual charge, originally imposed upon Captain Charles Calvert by His Lordship's instruction of January, 1730/1, was at first £ 50 sterling a year. Under further orders of December, 1751, it was raised to £ 100 and was given to Cecilius Calvert, the new Principal Secretary.⁹ In 1768 Commissary Walter Dulany successfully resisted an attempt to impose upon him an additional £ 100 taken off the salary paid by his brother, Deputy Secretary Daniel Dulany the Younger.¹⁰

The office must always have entailed some attendance, but its duties became more onerous after November, 1734, when the elder Daniel Dulany, "out of a Desire of being popular," began giving the public more attention than had earlier been thought necessary.¹¹ His son, Walter Dulany, in 1768, declared that:¹²

⁸ *Ibid.*, XLIV, 39-56, 368; L, 243-44.

⁹ Lord Baltimore to Charles Calvert, Jan. 1730/1 (Calvert Paper No. 2951½, p. 41); Daniel Dulany, Sr., to Lord Baltimore, Sept. 24, 1743 (Dulany Papers); John Sharpe to Edmund Jenings, Dec. 20, 1751 (*Calvert Papers*, II, 122).

¹⁰ Hugh Hamersley to Walter Dulany, March 28, 1768, and Aug. 1, 1769; Walter Dulany to Hugh Hamersley, Aug. 1, 1769 (Dulany Papers).

¹¹ Horatio Sharpe to Cecilius Calvert, April 19, 1761 (*Archives*, IX, 498).

¹² Walter Dulany to Hugh Hamersley, Sept. 29, 1768 (Dulany Papers).

[The Commissaryship] is not a Sine Cure Office which admits of a Gentleman's engaging in other Pursuits, but administered with proper Diligence . . . it almost ingrosses a Man's whole Time & Attention. . . . Upon a view of the Act of Assembly, you will observe, there must be six Courts held in a Year, besides what may be occasionally necessary. The Attendance upon these Courts is tedious & troublesome, and the Fees for that Branch of this Duty very trifling. He must hold a constant Correspondance with the Deputies in the several Counties, to give them Instructions in all Cases out of the Common Road, and has likewise a good deal of Trouble in writing to Executors & Administrators and the representatives of Estates who are frequently applying for Directions how to conduct themselves. In very many Instances he is obliged to examine the Vouchers and pass the Accounts of Estates, personally. The Pauper estates being raised from 10 to £ 30, a good deal of business is done in the Office without any Consideration for upon these he receives no Fees at all. It would be tedious to enumerate all the duties of this Office, but this I can confidently affirm, that there is abundantly more Trouble in the Execution of this single Office than there is in all the rest of his Lordship's principal Offices put together.

The net profits of the Commissaryship seem to have been smaller than those of the less troublesome Deputy Secretary's place, and we may recall that prior to 1756 they were often divided between two or more persons. Governor Hart reported in 1715 that "After the Office is Supported and the Registers Sallary Payd, which is allways a Certain Quantity of Tobacco not less than £ 20000 [£ 80 or £ 90 sterling], The Fees of that Office for the last two Years have not Exceeded 70000 lb. of Tobacco [a little less than £ 300 sterling] per Annum clear to the Commissary Generall and that dispersed in many hands in the Several Countys."¹³ However, by 1754 the net income amounted to about £ 570 sterling, and it must have reached about £ 670 by 1769.¹⁴ The office expenses and the saddle together, after 1751, seem to have come to around £ 330. The gross income averaged about £ 900 from 1745 through 1752 and about £ 1000 from 1763 through 1769.¹⁵

¹³ "An Account of the Several Offices within the Province of Maryland," 1715 (*Archives*, XXV, 319-21).

¹⁴ An estimate of 1754 shows that Benjamin Tasker, Sr., and Daniel Dulany, Jr., Joint Commissaries, each received in that year £ 483.14.6¾ currency, or about £ 285 sterling, apparently the net income (Portfolio No. 3, folder 30, Hall of Records). See note 15 below.

¹⁵ The average gross incomes for 1745-52 and 1763-69 inclusive are derived from yearly returns in tobacco (*Archives*, L, 184; LXII, 219; *Maryland Gazette*, Nov. 29, 1770). These figures agree with an estimate of about 1745 which

2. LEGAL OFFICERS.

Less valuable than the places hitherto examined, the post of Attorney General was created by a commission to Secretary Lewger, September 6, 1644, and was separated from the secretariat on appointment of Lieutenant Richard Smith, Sr., September 28, 1657.¹⁶ Under royal administration there were two Attorneys General. Charles Carroll, who had been appointed in 1688, served the Lord Proprietary while successive incumbents acted under the crown. On May 1, 1716, Colonel William Bladen, the former Crown Attorney, succeeded Carroll as Lord Baltimore's officer.¹⁷ The last provincial incumbent, Thomas Jenings of Annapolis, sworn in on October 18, 1768, was to be appointed in 1777 the first state Attorney General.

As early as April, 1688, this officer had begun to appoint deputies, one in each county.¹⁸ These were at first called "His Lordship's Attorneys," but after the establishment of royal government they were always styled "Clerks of the Indictments." Their fees were settled by an act of April, 1698, and were thereafter regulated with those of the Attorney General. As these deputy offices were of slight value and moreover prevented an incumbent's defending criminal cases, competent lawyers would not accept them.¹⁹ Under state government the Clerks of the Indictments were to become County Prosecutors.

Prior to 1650/1 there was no provision for payment of the Attorney General, who until 1657 was also Secretary. By a proclamation of January 10, 1650/1, however, Governor William Stone settled upon him a thousand pounds of tobacco a year, about four or five pounds sterling; and this salary was doubtless raised upon separation of the Attorneyship from the Secretary's office.²⁰

places the Commissary's gross income at £900 sterling (Massachusetts Historical Society, *Collections*, series I, vol. VII [1801], 202-03). As the net income in 1754 was about £570 (cf. note 14 above) and the gross income for the same year about £900 (the average for 1745-52), the total expenses were evidently about £330 sterling. For some other contemporary estimates see Cecilius Calvert to Horatio Sharpe, Sept. 9, 1755; Horatio Sharpe to Board of Trade, Dec. 21, 1761; and Horatio Sharpe to Hugh Hamersley, July 25, 1768 (*Archives*, XXXI, 490; XXXII, 27; XIV, 519).

¹⁶ *Ibid.*, III, 158; X, 542.

¹⁷ Provincial Court Judgments, liber 15, folio 630 (Hall of Records).

¹⁸ *Archives*, VIII, 17, 18, 30.

¹⁹ See the reply of the Upper to the Lower House, Oct. 26, 1720, *Ibid.*, XXXIV, 46.

²⁰ *Ibid.*, III, 261.

Charles Carroll, on his appointment in July, 1688, was given 12,000 pounds of tobacco a year or about £50 sterling.²¹ He continued to draw this sum, as Baltimore's Attorney General, until April, 1716.

Meanwhile the Crown Attorney had obtained in 1706 a salary of £100 sterling out of the fines and forfeitures. However, it is unlikely that he got his money, for the Queen had earlier granted all the unappropriated part of this fund to the Honorable Benedict Leonard Calvert, His Lordship's son and heir.²² In any case this crown salary ended on the restoration of Baltimore's government in 1715; and the proprietary salary ceased with Carroll's resignation in the following April. Thereafter the Attorney General was paid almost entirely in fees.

A table of such charges had been set up by the proprietor in Council on April 29, 1684.²³ Early in the royal period a new schedule was settled by ordinance of Assembly, May 20, 1695. Thereafter the Attorney General's charges were regulated by those acts fixing lawyers' fees rather than by the general acts for officers' fees.²⁴ In consequence they were not reduced, with other officers' fees, in 1719, and indeed they remained almost unchanged until the Inspection Law of 1747. Together with lawyers' fees they were then reduced twenty percent. In addition to his fees the Attorney General received, after 1699, a *per diem* allowance for his attendance on the Council.²⁵

The office was of modest value, for its income, after 1750, varied between £50 and £80 sterling a year.²⁶ Moreover, its nature barred an incumbent from defending many lucrative cases, especially those of criminals. As a rule no prominent lawyer would accept it unless he could also have some office of greater value to augment his income. Consequently, from the appoint-

²¹ *Ibid.*, VIII, 48; Provincial Court Record, liber TP, No. 4, folio 519 (Md. Land Office).

²² Cf. John Seymour to Board of Trade, July 3, 1705, and Board of Trade to John Seymour, Feb. 4, 1705/6 (*Calendar of State Papers, Colonial, 1704-05*, art. 1210; 1706-08, art. 84); also *Archives*, XXV, 210, 320.

²³ *Ibid.*, XVII, 246. By this date establishing fees in Council was already a grievance; cf. *Ibid.*, VIII, 219.

²⁴ *Ibid.*, XXXVIII, 113; XXII, 502; XXVI, 334; XXX, 248.

²⁵ *Ibid.*, XXV, 25; XXII, 436.

²⁶ An estimate of 1754 gives the Attorney General a revenue of £160 currency a year or about £80 sterling (Portfolio No. 3, folder 30, Hall of Records). Governor Sharpe, in 1761, may have understated it at £50 sterling per annum (*Archives*, XXXII, 27).

ment of Colonel George Plater, September 8, 1692, until the resignation of Stephen Bordley in December, 1763 (except in the first eleven years of Henry Darnall's incumbency, that is, 1744-55) the Attorney General held one or more other places of profit. From August, 1708, to July, 1724, and again from October, 1734, to April, 1744, he was also Commissary General; at other times he held a Naval Office, which, when executed by deputy, was in effect a sinecure.²⁷

For three brief intervals Maryland possessed, besides an Attorney General, a Solicitor General, who seems to have been merely an assistant to the Attorney. No salary or fees were settled upon this officer; but under royal government he was rewarded, like the Attorney, with other places of profit.

On December 6, 1671, during an absence of Attorney General Vincent Lowe, the Council appointed John Morecroft, the Register of St. Mary's City, to act as Solicitor General in a case against Captain Josias Fendall.²⁸ The appointment seems to have been a temporary one, and when Morecroft died, in June, 1674, no successor was appointed.

Again on April 3, 1688, Chancellor Henry Darnall, pursuant to Baltimore's instruction, appointed Major William Dent, then Clerk of the Lower House, to be Solicitor General.²⁹ This proprietary office ceased with the fall of Baltimore's government on August 1, 1689.

Dent was, however, reappointed to the same post, under crown administration, November 13, 1694, at a time when Attorney General Plater was busy with his customs offices.³⁰ Apparently in lieu of other reward, and for the time being, he received, a week later, half the Naval Office of North Potomac and, in October, 1696, the whole of it.³¹ In the following December, however, he petitioned the Council for a regular salary, alleging that by law all fees were payable to the Attorney General and that, as

²⁷ In 1754 Governor Sharpe suggested that the Naval Office of Patuxent be permanently annexed to that of Attorney General so as to provide a reasonable support for this officer. Henry Darnall III was not properly bred to the law, was not very able, and was subjected to much criticism. See Horatio Sharpe to Cecilius Calvert, June 6, 1754, and Cecilius Calvert to Horatio Sharpe, Dec. 10, 1754 (*Ibid.*, VI, 71, 134).

²⁸ *Ibid.*, V, 103.

²⁹ *Ibid.*, VIII, 16-17.

³⁰ *Ibid.*, XX, 172, 237.

³¹ *Ibid.*, XX, 186, 531.

Solicitor, he had lost about 10,000 pounds of tobacco in his own legal practice.⁸²

Governor Francis Nicholson now applied to the Board of Trade for permission to give him a gratuity of £ 50 and a salary of £ 30 or £ 40 sterling out of the fines and forfeitures. But they replied that, "considering . . . his Majesty has thought fitt to Constitute onely Attorneys Generall and not Sollicitors generall uniformly through all the Coloneys in America We do not think it fitt for us to propose to his Majesty the Establishment of any such New Officer in any particular place."⁸³ On October 22, 1698, Nicholson appointed Dent Attorney General, succeeding Plater, who now became Naval Officer of Patuxent.⁸⁴

Similarly the office of Examiner and Master in Chancery, created in 1734, lasted for only ten years. Early in the royal period associate justices in Chancery had become known as Masters or Assistants; and in 1715 the Council had settled upon these officials a small fee of 150 pounds of tobacco, or £0.12.6 sterling, for any reference made to them.⁸⁵ In 1733, however, Governor Samuel Ogle represented to Baltimore the need of a new officer who should reside in Annapolis and take oaths and depositions in chancery cases. This would supplant the former practice of commissioning persons in the counties for this purpose.⁸⁶

Baltimore at once authorized Ogle, as Chancellor, to appoint an Examiner and Master in Chancery, with all the powers of that officer in England, and, as Governor, to fix the table of his fees. These Ogle established in Council on February 20, 1733/4; and early that October he appointed a kinsman of Lord Baltimore's, Benjamin Young, Sr., to fill the new office.⁸⁷

Now this whole proceeding ran counter to a determination of the Lower House to prevent erection of new offices and the establishment of new fees save by acts of Assembly. They resolved in 1739 "that the appointing new offices here with fees without the consent of the People of this Province or their Delegates in Assembly is illegal and Oppressive. . . ." ⁸⁸ When they

⁸² Cf. Dent's petition, Dec. 12, 1696 (*Ibid.*, XX, 559).

⁸³ Francis Nicholson to Board of Trade, March 13, 1696/7, and Aug. 20, 1698; Board of Trade to Francis Nicholson, Sept. 2, 1697 (*Ibid.*, XXIII, 211, 498; *Calendar of State Papers, Colonial, 1696-97*, art. 798).

⁸⁴ *Archives*, XXV, 20.

⁸⁵ *Ibid.*, XX, 576; XXV, 52, 305.

⁸⁶ *Ibid.*, XXVIII, 57-58.

⁸⁷ *Ibid.*, XXVIII, 58-59; XLII, 111.

⁸⁸ *Ibid.*, XL, 381, 415.

failed to obtain satisfaction from the Governor, they addressed the proprietary and the king. Their committee of aggrievances reported again, with documents, in 1740.³⁹

As this was a time when several matters were in dispute, Deputy Secretary Jenings cannily proposed, in 1743, that Baltimore concede a few issues, including the Examiner in Chancery, so as to abate opposition to more important things, ". . . yet the manner of Desisting from Them, ought to be rather by Disuse & in General Terms, than by Explicit Disapprobation if it can be avoided."⁴⁰ Prior to November, 1744, Young quietly resigned, and his office then terminated.⁴¹ Baltimore wanted to reward him with the Naval Office of North Potomac; but as this had become a possession of the Lees, His Lordship had to appoint him instead Surveyor General of the Eastern Shore and, in 1746, one of the Judges of the Land Office.

3. MILITARY OFFICERS.

Four minor provincial officers had salaried places on the military establishment, namely, a Muster Master General and his successor the Adjutant, for the drilling of militia; and a Master Gunner and Armourer and a Commissary General for War, to care for the provincial and county stores of arms. All of these eventually fell victim to the Lower House's passion for economy: only the Armourer long survived, and he lost his salary.

The first Muster Master General, Captain John Price, was appointed August 12, 1648, and was given all the revenues of any Muster Master in Virginia.⁴² An act of April, 1650, repealed in 1671, gave him yearly the proceeds of a poll tax of four pounds of tobacco. Price's successor, Captain William Evans, appointed by the Governor, March 13, 1660/1, died in 1668, and his office died with him.⁴³ After the Protestant Revolution (1689) the Upper House sought to revive this post in a proposed militia bill

³⁹ *Ibid.*, XLII, 110-11.

⁴⁰ Edmund Jenings to John Browning, 1743 (*Ibid.*, XLII, 662).

⁴¹ Thomas Bladen to Lord Baltimore, Nov. 15, 1744 (*Calvert Papers*, II, 112). Bladen remarks that Young is in possession of two offices, which are evidently a Commissionership in the Loan Office and the post of Examiner General. So he had already ceased to be Examiner and Master in Chancery.

⁴² *Archives*, III, 215.

⁴³ *Ibid.*, III, 410. The extra-legal Puritans' Assembly, on Aug. 8, 1654, had appointed Capt. John Smith Muster Master General for "St. Mary's, Potomac, and Patuxent Counties" (*Ibid.*, III, 315).

of May, 1695; but the delegates deferred the matter, pleading "the poverty & low circumstances of the people."⁴⁴

In the later proprietary period Charles Slye of St. Mary's County applied for such an office, under the new title of Adjutant, in 1731 and again in the following year, but the two houses failed to agree on a method of payment.⁴⁵ On August 8, 1732, however, the Governor and Council, as custodians of the fund for ammunition, ordered him a salary of £ 40 sterling out of the export duty for arms.⁴⁶ Slye was drawing this salary as late as January, 1735/6, but he had no successor.⁴⁷

During the eighteenth century the government kept a supply of arms in the storehouse at Annapolis and a smaller deposit in custody of each county colonel of militia. The Annapolis arsenal, from 1701 to 1767, was supervised by a Master Gunner and Armourer; the county stores, for ten years after 1704, were inspected by a Commissary General for War.

In May, 1701, the Governor and Council appointed Richard Beard to the post of Armourer and settled upon him a salary of £ 20 out of the duty for arms.⁴⁸ This salary was raised to £ 25 on the appointment of Andrew Richmond in 1704/5, to £ 30 on the appointment of Captain John Young in 1707/8, and finally to £ 40 in June, 1720. But it was reduced to £ 25 by an act of July, 1747.⁴⁹

Meantime the duty for arms, which had expired in June, 1740, was revived for but two years in 1747, and the accumulated fund for this purpose became exhausted sometime after October, 1756. The unfortunate Armourer, Mr. Henry Walls, then went unpaid for years; and when in 1767 he died insolvent, his widow was unable to recover any back salary.⁵⁰

⁴⁴ *Ibid.*, XIX, 162.

⁴⁵ *Ibid.*, XXXVII, 207, 239, 260, 307, 434, 510.

⁴⁶ *Ibid.*, XXVIII, 12, 59. The export duty for arms, three pence sterling per hogshead of tobacco, was collected from 1692 to Sept. 29, 1733, from April, 1735, to June, 1740, and from July, 1747, to Sept. 29, 1749.

⁴⁷ *Ibid.*, XLII, 60, 123.

⁴⁸ *Ibid.*, XXIV, 139, 152, 347, 387.

⁴⁹ *Ibid.*, XXVI, 545; XXVII, 238; XLII, 40, 42, 70; XLIV, 653.

⁵⁰ The Armourer was last paid in October, 1756 (*Ibid.*, XXXI, 161). See complaints of the Lower House about this officer, in 1750 and 1763, and the report of their committee in 1765 (*Ibid.*, XLVI, 400, 405; LVIII, 390-91, 395; LIX, 146-48). The successive Armourers, all residents of Annapolis, were: *Richard Beard*, May, 1701 to his death, Oct., 1703; his son, *Matthew Beard*, Oct., 1703 to Feb., 1704/5; *Andrew Richmond*, Feb. 20, 1704/5 to after April, 1706;

On December 7, 1704, Governor John Seymour and the Council appointed Colonel Philemon Lloyd, for the time being, to the new office of Commissary General for War.⁵¹ * On Seymour's applying to the Board of Trade for permission to establish such an officer permanently, that body acquiesced and recommended a salary of not more than £100 sterling a year out of the fund for arms. They also asked Colonel Blakiston, the Provincial Agent in England, to name a suitable incumbent.⁵²

Accordingly Colonel Robert Finley, who had come out to Maryland with Blakiston in 1698, was recommended and, on July 8, 1708, was properly appointed by the Governor. He was given a salary of £80 sterling, which he enjoyed until his death about 1714.⁵³ Lord Baltimore's government, restored the following year, appointed no successor.

4. THE AGENT IN ENGLAND.

This office was by its nature unavailable to residents of Maryland, and it existed on a satisfactory basis only during Colonel Nathaniel Blakiston's incumbencies, from 1702 to 1709 and from 1713 to 1721.⁵⁴ Originally appointed on his return to England in June of the year first mentioned, at a salary of £120 sterling, former Governor Blakiston failed to obtain all those concessions the Lower House demanded. In December, 1708, they ordered his dismissal.⁵⁵

Urging by the Board of Trade and by the Governor and Council, together with the necessities of the ordinary license controversy

Capt. *John Young*, on or before Jan. 11, 1707/8 to May, 1734; *Onorio Razolini* (a Protestant convert), June 4, 1734 until his return to Italy, Aug., 1741; *Richard Tootell*, Sept. 5, 1741 to Sept., 1745; *John Raitt*, Sept. 26, 1745 to Sept., 1748; and *Henry Walls*, Sept. 29, 1748 to his death in 1767.

⁵¹ *Ibid.*, XXVI, 378.

⁵² Cf. John Seymour to Board of Trade, July 3, 1705, and Board of Trade to John Seymour, Feb. 4, 1705/6 (*Calendar of State Papers, Colonial, 1704-05*, art. 1210; 1706-08, art. 84); also *Journal of the Commissioners for Trade and Plantations, 1704-8/9*, 209.

⁵³ *Archives*, XXV, 242; XXVII, 396. References to Finley as Commissary General for War appear in the *Archives* until 1714.

⁵⁴ Three persons served briefly as Agents before Blakiston's appointment. *Peter Pagan* of London, merchant, was appointed by an act of June, 1692, repealed in Oct., 1694; *John Povey* served from 1694 to 1697; and on July 6, 1697, *Micajah Perry* appears as Agent for both Virginia and Maryland (*Ibid.*, XIX, 165, 234; XXII, 52, 54; *Maryland Historical Magazine*, XII [1917], 119; *Calendar of State Papers, Colonial, 1696-97*, art. 1157). The Council of Trade and Plantations urged appointment of an Agent in 1698 and again in 1711 (*Archives*, XXII, 174; XXIX, 6; *Calendar of State Papers, Colonial, 1710-11* arts. 839, 906).

⁵⁵ *Archives*, XXIV, 228, 262, 364; XXVII, 305.

with Secretary Lawrence, finally procured Blakiston's reappointment in October, 1713. Though offered his former salary, he now chose to accept only £ 100 a year.⁵⁶ Yet despite this unexampled generosity he was again dismissed in August, 1721. The occasion for this ill considered act had been the restoration of Baltimore's government in 1715; for the Lower House now assumed that, as residents of a proprietary province, they required no agent with the king.⁵⁷ They were soon to learn better.

Down to this time the Agency had been urged upon the delegates by the Governor and Upper House and had been accepted by them, always with some reluctance, as an expense of doubtful wisdom. After 1725 these roles were reversed. The Governor and Council, as His Lordship's representatives, were determined to prevent appointment of an officer who would serve chiefly as a bearer of popular appeals against the proprietor to the king. And the delegates now desired an Agent for just this purpose.⁵⁸

Unable to move the Upper House, they twice employed and paid an Agent without any act of Assembly. To bring before His Majesty their numerous complaints of 1739 they appointed the Pennsylvania Agent, Ferdinando John Paris, raised money by subscription, and paid him £ 100 per annum for five or six years.⁵⁹ In December, 1766, during a quarrel over the Clerk of the Council's salary, they appointed Charles Garth, the South Carolina Agent, and paid him with funds raised by a subscription and a lottery.⁶⁰ As the Lower House were, however, very high in their demands, it was hard for an Agent to satisfy them with such things as might be had.

⁵⁶ *Ibid.*, XXVII, 506-11; XXIX, 6, 13, 213, 458.

⁵⁷ *Ibid.*, XXXIV, 171, 175.

⁵⁸ The Lower House considered proposals for appointing and supporting an Agent in Nov., 1725; July, 1729; May, 1730; Aug., 1731; June, 1739; Oct., 1742; May, 1744; Aug., 1745; June, 1746; June, 1752; May, 1758; May, 1761; Dec., 1765; Nov., 1766; June, 1768; Dec., 1769; and Nov., 1771. Meantime Charles, Lord Baltimore, after April, 1742, instructed his Governors not to allow the appointment of anyone but himself as Agent. His successor, Frederick (1751-71), limited the choice to himself or his "beloved uncle," Cecilius Calvert (*Ibid.*, XLII, 650; VI, 401; Portfolio No. 2, folder 4, Md. Hall of Records). On some of the motives which induced the Upper House to oppose the appointing of an Agent see Daniel Dulany to Cecilius Calvert, Sept. 10, 1764 (*Calvert Papers*, II, 233). On the political aspects of the Agent controversy see Mereness, *op. cit.*, 465-74, and Barker, *op. cit.*, *passim*.

⁵⁹ *Archives*, XL, 528; XLII, 198; XLIV, 58-59, 331-32.

⁶⁰ *Ibid.*, XXXII, 180-85; LXI, 63 *et seq.*; LXII, 92. See also Horatio Sharpe's letters to Hugh Hamersley and to Lord Baltimore, Dec., 1766 and thereafter (*Ibid.*, XIV, 356, *et seq.*).

CHAPTER VI

ALL SORTS OF CLERKS

THE DEVELOPMENT of a corps of clerks to serve this central governing body resembled the evolution of that body as a whole. Thus the clerical establishment began very modestly and then expanded as the need for clerks and registers increased. Moreover, it expanded by the same processes. Just as many offices were separated from the secretariat, and a few wholly new ones were established, so some clerkships were separated from the office of the Secretary's clerk, and other new ones were inaugurated.

Originally all writing business was done by William Bretton of St. Mary's City who bore three titles as Clerk of the Secretary's Office and of the Provincial Court, Clerk of the Council, and Clerk of Assembly.¹

In or shortly before September, 1647, Bretton lost to Robert Clarke the clerkship of the Council. In April, 1650, on division of the Assembly into two houses, his clerkship of that body was similarly divided between a Clerk of the Upper and a Clerk of the Lower House. Bretton himself remained Clerk of the Lower House through March, 1650/1. The Secretary acted as Clerk of the Upper House until April, 1661, when John Gittings was appointed. However, from October, 1678, until the organization of state government a century later the Clerk of the Council was always Clerk of the Upper House too.

The duties of the Clerk of the Secretary's Office were curtailed on appointment, soon after April, 1673, of a separate Clerk of the Prerogative Office (under the Commissary General) and in May, 1695, of a separate Register in Chancery.² A clerkship of the High Court of Appeals was separated from that of the Council in July, 1707. New offices grafted onto the system provided a Register of the Admiralty Court, July, 1694, and two Clerks of

¹ *Archives*, IV, 309 *et passim*.

² Testamentary Proceedings, liber 6, folio 261 (Md. Hall of Records); Chancery Record, liber 2, folio 295 (Md. Land Office); *Archives*, XX, 233. The appointees were Michael Rockford and John Freeman respectively.

the Assize Courts, one for each shore, in October, 1723.³ There was also a clerk for each county court.

Outside the central governing body appeared a Clerk of the Paper Currency Office (1734); in the provincial revenue system, and two clerks on the proprietary finance establishment, namely a Register of the Land Office (1680) and a Clerk of the Board of Revenue (1768). Of these we shall have more to say in later chapters.

Most clerks employed from time to time one or more clerks assistant, or deputies, who served for small salaries or for a share of the profits.

1. PROVINCIAL CLERKS.

We shall find it convenient to consider separately the revenues of the Clerk of the Council and of the Clerk of the Upper House although after 1678 both positions were filled by the same persons.

The Clerk of the Council was chosen by the Governor and Council and appointed by the Governor. He had certain fees from an early period and, after the establishment of royal government, he acquired also a salary and other allowances. His fees, originally fixed by the Council on Feb. 9, 1679/80, were expanded and raised in subsequent orders, being codified at length by the Council in 1692 and by an act of Assembly in July, 1696.⁴ Under the general fee law of June, 1719, they were reduced to about three fourths of their former value, and further reductions were accomplished by the Inspection Act of 1747.

Although his fees were paid willingly, his salary occasioned serious controversies in Assembly. This salary, inaugurated in 1693, was at first 12,000 pounds of tobacco a year, or about £ 50 sterling, out of the public levy; but it was reduced twenty percent, without much altering its sterling value, in the Inspection Law of 1747.⁵ However the Lower House now refused to allow his

³ Thomas Jones was appointed Clerk of the High Court of Appeals, July 16, 1707. Henry Denton, first Register of the Admiralty Court, was appointed July 28, 1694. From Feb., 1694/5, to Oct. 21, 1698, there was a Register for each shore but thereafter only one for both shores. Two Clerks of Assize were appointed in April, 1708, but as the Lower House refused to provide for their payment, Assize Courts were abandoned until reestablished by a law of Oct., 1723.

⁴ On the evolution of these fees see *Ibid.*, XV, 268; VII, 243; XVII, 190, 259; VIII, 396; XX, 32; XXXVIII, 83. See also the "Additional Articles . . . against the Lord Baltimore and his Deputies," 1690 (*Ibid.*, VIII, 219).

⁵ *Ibid.*, XX, 32, 228; XXIII, 270; XXV, 320; XLIV, 635. The Inspection Law of 1747, which reduced fees and salaries in tobacco, raised the money value of that commodity.

salary out of the public levy, for they contended that he ought to be paid from His Lordship's funds for support of government. They were finally prevailed upon to vote his arrears in May, 1756, and again in December, 1773. But at the latter date they abolished his salary.⁶

The Clerk of the Council was also allowed, out of the public levy, small additional sums for particular services required by law.⁷ Under royal government he several times applied for a separate allowance to cover the cost of writing materials and the hire of a clerk assistant, but this the Lower House consistently denied him. In lieu thereof the Council gave him, temporarily in 1695 and permanently some years later, the amercements in the Provincial Court.⁸

The fees from 1767 through 1769 averaged 7879 pounds of tobacco, or about £ 33 sterling, a year; and the net value of the amercements may have been about 1000 pounds of tobacco, or £ 5 sterling.⁹ These, together with his salary of £ 50, eventually paid, made up a revenue of £ 88 or £ 90 sterling in all. And as Clerk of the Upper House he had other fees and another salary amounting together to about the same figure.

The fees of the Clerk of the Upper House were first settled in May, 1669, when that body allowed him, together with a special charge for each naturalization, treble the fees of any county clerk for the same service.¹⁰ A separate table of fees was approved by His Lordship in Council, Nov. 10, 1682, and the fees then settled remained unchanged down to the end of colonial times.¹¹

In the early proprietary period the clerk of each house had also received in the public levy an allowance roughly proportionate to the length of each session.¹² At the inception of royal govern-

⁶ *Ibid.*, LII, 404-13; LXIV, 79-80. On political controversies over the clerk's salary see Mereness, *op. cit.*, 368-73, and Barker, *op. cit.*, *passim*.

⁷ See for example the Clerk of the Council's accounts rendered in 1765, *Archives*, LIX, 115-30.

⁸ *Ibid.*, XX, 229, 468; XXIII, 270; XXII, 62, 64, 328; XXVII, 44; XXX, 25.

⁹ For the fees in tobacco, 1767 through 1769, see *Ibid.*, LXII, 232, or *Maryland Gazette*, Nov. 29, 1770. Gov. Ogle declared in 1745 that the provincial amercements were worth clear "not above One Thousand Pounds of Tobacco per annum, communibus annis" (*Archives*, XLIV, 148); this would be about £ 5 sterling, but Ogle may have consciously understated the true amount. In 1754 John Ross, as Clerk of the Council, received in fees and amercements combined £ 85 currency or about £ 43 sterling (Portfolio No. 3, folder 30, Hall of Records).

¹⁰ *Archives*, II, 192, 199.

¹¹ *Ibid.*, VII, 375; XIII, 107.

¹² By an act of March, 1641/2, the Clerk of Assembly was given fifty pounds

ment this allowance became a fixed salary of 12,000 pounds of tobacco, about £ 50 sterling, a year. That of the Clerk of the Upper House remained at this figure until 1747 when it was reduced twenty percent.¹³ Moreover, as this salary was raised in the public levy, it could be paid only on passage of the journal of accounts. Consequently a quarrel over paying the Councillors, which delayed passage of the journal from 1747 to 1756, and a similar dispute over the Clerk of the Council's salary, which delayed another passage until 1766, held up the pay of the Clerk of the Upper House.

In the eighteenth century his fees amounted to about £ 75 currency (£ 38 or £ 40 sterling) a year. These, along with his salary of about £ 50, made up an annual income of about £ 88 or £ 90 sterling.¹⁴ The combined offices of Clerk of the Council and Clerk of the Upper House were consequently worth, together, about £ 180 a year.¹⁵ However we have seen that payment of the two salaries, amounting to over half this sum, was in later colonial times twice long delayed.

Prior to 1682 the Clerk of the Lower House, who in 1650 had succeeded the Clerk of Assembly, was elected by the delegates and admitted to office by the Governor. Lord Baltimore appointed clerks in 1682 and 1683, and the Deputy Governors appointed one in 1686. At the establishment of royal government the former practice of election by the delegates and admission by the Governor was permanently restored.¹⁶

Certain fees were bestowed on the Clerk of the Lower House in October, 1640, and April, 1684.¹⁷ On the organization of crown

of tobacco a day from two days before to two days after each session. This allowance seems to have been extended to both clerks on division of the Assembly into two Houses in 1650.

¹³ *Ibid.*, XXV, 320.

¹⁴ John Ross received this amount as Clerk of the Upper House in 1754 (Portfolio No. 3, folder 30, Hall of Records).

¹⁵ An estimate of about 1745 rates this combined income at £ 150 sterling (Massachusetts Historical Society, *Collections*, series I, vol. VII [1801], 202-03).

¹⁶ See the report on this matter, May 24, 1749, in *Archives*, XLVI, 187-203. We should note that the Governor did appoint Christopher Gregory in Oct., 1698. On two occasions, in May, 1692, and Sept., 1708, the Lower House refused the Governor's nominee and chose their own clerk, whom the Governor then confirmed. At the session of May 9-11, 1749, the delegates denied the Governor's right to approve their nominee, whereupon Ogle prorogued the Assembly for two weeks. On reassembling the Lower House voted by a small majority to ask the Governor's approbation of their clerk.

¹⁷ *Ibid.*, I, 90; XIII, 42-43.

government his allowance in the public levy became a salary of 12,000 pounds of tobacco a year.¹⁸ It was raised in 1716 to 14,000 pounds and was then reduced twenty percent in 1747.¹⁹ This salary, like that of the Clerk of the Upper House, and for the same reason, was delayed from 1747 to 1756 and again from the latter date until 1766. As his total fees, from year to year, were of slight value, the income of this officer probably ranged between £ 50 and £ 60 sterling per annum in the eighteenth century.²⁰

We have seen that the Clerk of the Secretary's Office and of the Provincial Court was until 1673 Clerk of the Prerogative Office and until 1695 Register in Chancery. Originally he received a part of the Secretary's fees, often one third.²¹ By an act of April, 1671, he was given instead the same fee as any county clerk for a like service. On repeal of this law, in 1692, he was left without legal fees though he may have retained some customary ones. His revenue consisted thereafter chiefly, if not wholly, of an allowance from the Secretary in the form either of a salary or of a proportion of that officer's fees.²² He in turn employed and paid his own clerks assistant.²³ His income, less than that of most county clerks, amounted in 1745 to about £ 65 sterling.²⁴ Under the Constitution of 1776 this officer became the Clerk of the General Court, appointed by the justices of that body.

Similarly the Clerk of the Prerogative Office and the Register in Chancery had no fees by law, for each received a salary from

¹⁸ *Ibid.*, I, 93, 122; XXV, 320.

¹⁹ *Ibid.*, XXX, 551. The delegates voted their own clerk, from time to time, additional sums for extra expenses; but they would never allow such payments to the Clerk of the Upper House.

²⁰ The estimate of about 1745 (see note 15 above) values this clerkship at £ 50 sterling a year.

²¹ This proportion was allowed to John Blomfield in his commission of May 5, 1669 (*Ibid.*, V, 49).

²² He had a salary in 1715; but forty years later he seems to have been receiving a portion of the fees (*Ibid.*, XXV, 320; XXXI, 481).

²³ In 1768 Sharpe wrote that "the Register or Clerk [of the Secretary's Office] being under Engagement to find all under Clerks, he gets as many as he wants at very low wages. . . ." (Horatio Sharpe to Hugh Hamersley, July 25, 1768, *Ibid.*, XIV, 517).

²⁴ See the estimate cited in note 15 above. It is hard to believe that this clerk was actually receiving so little.

his principal. It is clear, however, that the former, and probably the latter also, demanded certain customary fees, which the Lower House was unable to prevent their taking.²⁵ The salary of the Prerogative Clerk amounted in 1715 to at least 20,000 pounds of tobacco, or about £ 80 or £ 90 sterling a year. It was valued at £ 80 sterling in 1745, and it may have reached £ 100 in late colonial times.²⁶ The Register in Chancery probably got about the same amount. The Prerogative Office was to be omitted from the Constitution of 1776 and abolished the following year.

The Clerk of the High Court of Appeals, the Clerk of the Admiralty Court, and the two Clerks of Assize Courts had very small incomes from fees established by law. These offices were commonly filled by persons with other and more valuable clerkships.

Prior to the establishment of royal government there was a rapid turnover in all offices, and this was especially true of the clerks' places. Thereafter long tenure became the rule. Thus in the first sixty years of its history, until 1693, the Council had fifteen successive clerks; but in the eighty-three years thereafter only nine. Of these John Ross served thirty-five years. Similarly Michael Macnemara was Clerk of the Lower House for twenty-three years; and three different clerks served over ten years in the Secretary's office.²⁷

2. COUNTY CLERKS.

These officers, appointed by the Secretary in Maryland, and commonly better paid than the provincial clerks, were supported chiefly by fees. Such charges, first established in the general fee proclamation of August 2, 1642, were for over thirty-five years the same as those allowed the Secretary.²⁸ By an act of November,

²⁵ On the customary fees of the Prerogative Clerk see *Ibid.*, XXXV, 313-26; XLVI, 588. The Lower House sought to prevent the taking of such extra-legal fees by inserting certain oaths into the Inspection Law of 1747. But as the act provided no penalty for refusal of the oaths, the Governor had no means of enforcing this part of it. The matter was argued at some length in the session of May and June, 1751.

²⁶ *Ibid.*, XXV, 321; IX, 414; see also the estimate cited in note 15 above.

²⁷ On the eve of the Revolution the chief provincial clerks were James Brooks (Council and Upper House), John Duckett (Lower House), Reverdy Ghiselin (Secretary's Office), Elie Vallette (Prerogative Office), and James Brooks (Chancery).

²⁸ *Ibid.*, I, 162.

1678, however, they were cut to half their previous value. They were further reduced by the fee act of 1719 and by the Inspection Law of 1747. Certain additional fees, including one for the drawing of ordinary licenses, were established by law as occasion arose. In addition to his fees each clerk received a commission for collecting alienation fines and paying them to His Lordship's Receiver General.

The county clerk paid his own assistants but was probably allowed in the county levy for his paper, books, and writing materials. A further expense was the purchase of his appointment from the Secretary and, at least after 1692, the payment to that officer annually of a tenth of his gross revenue.²⁹

Despite these expenses, and a progressive reduction of fees, this office became steadily more valuable as the population increased. However, as the value of each clerkship depended on the number of law suits and land transfers in that county, some of them became more profitable than others. Thus in the two first settled counties, St. Mary's and Calvert, the clerkships declined in value after all land had been taken up. Meantime those offices in the northern counties, which were later settled, had become the more lucrative.³⁰

The average value of a county clerk's office in 1745 was about £ 115 sterling a year. However, those of St. Mary's and Calvert Counties brought in only about £ 80 each, while that of Baltimore was worth £ 250 sterling. The clerkship of Frederick County, organized in 1748, must have brought in yet more.³¹ The county

²⁹ These obligations of the county clerks are treated in more detail in our chapter on the two Secretaries.

³⁰ On conditions affecting the value of a county clerkship see Daniel Dulany, "The Case of Mr. Dennis Dulany," 1760 (Dulany Papers). According to Dulany, Baltimore, Frederick, and Cecil Counties offered the most valuable clerkships. Those of St. Mary's and Calvert Counties were the least valuable, and the others were about alike.

³¹ An estimate of about 1745 (see note 15 above) values the county clerkships at £ 115 each "but more in peace time," and Gov. Sharpe, in his report to the Board of Trade, Dec. 21, 1761, rates them conservatively at £ 80 to £ 200 sterling (*Archives*, XXXII, 27). See also the dispute between Secretary Lawrence and Cleborne Lomax, 1692, over the value of the Charles County clerkship (*Ibid.*, VIII, 401-03). The sanguine Henry Callister may have overvalued the Dorchester County office in 1746 when he rated it at 50,000 pounds of tobacco, about £ 210 sterling (Callister Papers, I, 58). The income of the Baltimore County office, as here quoted, is derived from the fee book of John Beale Bordley, clerk of that county, for the years 1759 through 1761 (Bordley Papers).

clerk frequently made his office a sinecure by employing a deputy who did all the work for a third or a half of the profits.³²

As with the provincial clerkships, turnover was rapid in the earlier proprietary period, and long tenure, indeed life tenure, became the rule thereafter. Kent County, for instance, had seventeen clerks in the forty-one years prior to 1695 and only five in the remaining eighty-one years of the colonial period. One of these, Captain James Smith, served a record fifty-three years. Thomas Hayward, Jr., Clerk of Somerset County, was in office forty-four years and John Leeds of Talbot County thirty-nine years. Some fourteen other county clerks served for two decades or longer. In most counties the successive clerks were nearly related, and there are eight cases of immediate succession from father to son.

³² For instance in 1760 three Justices of the Provincial Court were county clerks who served by deputy (John Brice, Col. Richard Tilghman, and John Darnall). Such an arrangement, Gov. Sharpe wrote, was entirely improper; but he knew of no way to reward the justices for their trouble except by giving them other offices (Horatio Sharpe to Cecilius Calvert, July 7, 1760, *Archives*, IX, 432.)

CHAPTER VII

REVENUE OFFICERS: PROVINCIAL

WE MAY DISTINGUISH three kinds of revenue in Maryland: provincial, proprietary, and royal. The first consisted of tobaccos and moneys raised for defraying the public charge, or for special expenses, and disbursed under direction of the Assembly, or of the Governor and Council, as the law might direct. It included also the county and parish levies.

The second kind comprised Lord Baltimore's private income, arising from gifts by the crown and by the Assembly, together with those revenues granted him by law "for the support of government." During the royal period Baltimore retained only his private income. The crown took all revenues earlier established for support of government, together with two new duties now enacted (1692 and 1694) as a further provision for the Governor. On His Lordship's restoration these again became proprietary incomes for the uses by law provided.

The third kind of revenue, that of the crown, embraced, during the royal period, the moneys just mentioned and, from 1673, those customs duties enacted by Parliament. In this and two following chapters we shall examine the official establishment devoted to each kind of revenue. Our present chapter treats of the provincial system.

It was a habit of the Maryland Assembly, which had a sole right to levy taxes and duties, to raise funds by poll taxes in tobacco and by import, export, and tonnage duties payable in money.¹ Poll taxes were collected by the sheriffs and duties by the Naval Officers. Both were paid to the Public Treasurers, one

¹ On infrequent occasions funds were raised within the province by other means. The Puritan Assembly of 1654 included a land tax in the public levy; an act of May, 1695 (chap. 8), which expired four years later, taxed officers' incomes; and the supply acts of 1754 and 1756 imposed certain property taxes. Moreover, the ordinary license fines were given to the county courts for local expenses from October, 1704, until His Lordship's restoration in 1715; were appropriated under the supply acts of 1740, 1746, and 1754; and, in June, 1768 (chap. 27), together with license fines on hawkers, peddlers, and petty chapmen, were set aside toward defraying the public charge.

for each shore, who then disbursed these funds as the Assembly, or the Governor and Council, should direct. All of these officers took commissions on the sums accounted for while sheriffs and Naval Officers also had fees.

There later appeared certain other officials. After 1733 there were two or three Commissioners of the Paper Currency Office, or Loan Office, paid by a salary and by occasional commissions, who in turn kept a clerk at a salary. The Supply Acts of 1740, 1746, and 1756 appointed Agents to receive and disburse, at a commission, the funds so raised.

1. THE PUBLIC TREASURERS.

During the earlier proprietary period all revenues were proprietary, either for Baltimore's personal use or for the support of his government, except the public levy (a poll tax in tobacco for current charges) and a tonnage duty for the rebuilding of Fort St. Inigo's, collected from April, 1650, to May of 1661. So it was convenient for His Lordship's Receiver General to act also as Treasurer of the province although he seems not to have assumed this title.²

In October, 1694, however, soon after the establishment of crown rule, with Baltimore's officers deprived of all share in government, the Assembly felt obliged to appoint two Public Treasurers, Captain Thomas Tasker for the Western and Colonel William Whittington for the Eastern Shore.³ Under the crown such Treasurers were servants of the Assembly and so were appointed by that body: nominated by the Lower House and approved by the Governor and Council.⁴ However, the proprietary, on his restoration in 1715, claimed a charter right to appoint all officers either by his own motion or through his Governor. After Baltimore's visit to Maryland in 1732-33 the Governor in fact appointed Treasurers repeatedly, and the delegates, having twice vainly protested, at length tacitly acknowledged His Lord-

² Capt. Giles Brent, who on March 20, 1638/9, was chosen "Treasurer" by the Council, seems to have been merely treasurer for any expedition against the Indians as provided by an Act for Payment of the Public Charge made the same month (*Archives*, I, 59; III, 85).

³ *Ibid.*, XIII, 400; XXXVIII, 11.

⁴ Cf. *Ibid.*, XXIV, 17, XXIX, 386. One such appointment occurred in 1727, after Baltimore's restoration, but before his visit to the province (*Ibid.*, XXXVI, 45).

ship's right.⁵ The Constitution of 1776 again vested their appointment in the House of Delegates.

Once appointed, Treasurers held office during the Assembly's pleasure under crown rule and thereafter during Baltimore's pleasure. In practice they served long periods, and six of them died in their places. The last two such officers under the Proprietary were Colonel William Fitzhugh, appointed for the Western Shore, September 28, 1772, and William Hemsley, Jr., for the Eastern Shore, November 23, 1769. They were succeeded, by Thomas Harwood, Jr., and William Hindman, respectively, appointees of the Maryland Convention, on August 14, 1775. The dual treasurership was to continue under the new state government.

A Public Treasurer's duties were twofold. On the one hand he annually received from the sheriffs and at once disbursed, pursuant to successive acts of Assembly, all tobacco raised on his shore in each public levy. On the other hand he received from the Naval Officers those duties enacted for paying the public charge, for the purchase of arms (from 1716), and for the support of schools. The produce of these duties he kept on hand to be expended at direction of the Governor and Council or of the Assembly. Under an act of June, 1768, he further received from the sheriffs all license fines paid by ordinary keepers, peddlers, hawkers, and petty chapmen, now applied to defraying public costs as the Assembly might direct.

Although a Treasurer had no commission on tobacco raised in the public levy, he might take five percent of the license fines and four, later five, percent of the duties he received.⁶ These were as follows:

Liquors imported by water (liquors from England and liquors in country bottoms excepted): 4d sterling per gal., Oct., 1694, to July, 1699, and thereafter 3d per gal; for defraying the public charge as Assembly should direct (from June, 1692, to Oct., 1694, this 4d was paid to Their Majesties' Receivers).

Liquors imported by land from Pennsylvania: 9d sterling per gal. on rum and 6d per gal. on other liquors, Oct., 1694, to July, 1699; 9d

⁵ *Ibid.*, XXVIII, 119-20; XL, 68, 75, 591; XLVI, 96, 99-100. Cf. Commission Book No. 82, folios 46, 95 (Hall of Records).

⁶ Revenue acts prior to June, 1715, gave the Treasurer only four percent. However, on May 2, 1704, the Treasurer of the Western Shore obtained an additional one percent by order of the Lower House, and his colleague probably at once received the same increase (*Archives*, XXIV, 399; XXIX, 277).

on all such liquors, Oct., 1704, to Nov., 1724; and thereafter 3d per gal. (to be collected by the Naval Officer of Cecil County); for defraying the public charge as Assembly should direct.

Meat exported: 12d currency per 100 lb. of dried beef or bacon, 12d currency per barrel of undried beef or pork, from Oct., 1694 (but until Oct., 1704, Naval Officers accounted for this duty to Governor and Trustees of Free Schools rather than to Treasurers); for use of the free schools.

Skins and furs exported: various duties, Oct., 1694, to Oct., 1723, when replaced by import duty on pork, pitch, and tar (but until Oct., 1704, Naval Officers accounted for this duty to Governor and Trustees of Free Schools rather than to Treasurers); for use of the free schools.

Pork, pitch, and tar imported (residents excepted): 6d currency per 100 lb. of pork, 12d per barrel of pitch, and 6d per barrel of tar, from Oct., 1723; for use of the free schools.

Servants imported: 2s 6d sterling, May, 1695, to Oct., 1696; 20s on Irish servants only, from July, 1699 (but country bottoms exempted June, 1715, and Protestant Irish exempted August, 1732); for defraying the public charge as Assembly should direct. *Additional duty* on Irish Catholic servants, 20s currency, from June, 1717, for use of free schools.

Negroes imported: 10s sterling, May, 1695, to May, 1696; 20s, May, 1696, to Oct., 1696, and from July, 1699 (but country bottoms exempted June, 1715); for defraying the public charge as Assembly should direct. *Additional duties* of 20s currency from June, 1717, £2 currency from Nov., 1763, and £5 currency from Nov., 1771 (totaling £8 currency after 1771); for use of free schools.

Tobacco exported: 3d sterling per hogshead, May, 1695, to May, 1697, and May, 1701, to Sept., 1716; for defraying the public charge as Assembly should direct.

Tobacco exported: 3d sterling per hogshead, Sept., 1716, to Sept., 1733; April, 1735, to June, 1740; July, 1747, to Sept., 1749; for purchase of arms and ammunition as Governor and Council should direct. On this duty the Treasurers took only half their usual commission, viz: 2½%.

His income, dependent on the volume of trade in these articles, was larger in time of peace than in time of war. His normal peacetime revenue seems to have been nearly £200 sterling a year. It fell to about £125 in the third intercolonial conflict and varied between £20 and £40 in the worst years of the French and Indian War. The Western Treasurer's office was more valuable than the Eastern.⁷

⁷ Gov. Sharpe wrote in 1755 that, "The Treasurers Offices are worth some years near £200 & other years not £30 each, their Profitts arising from a Commis-

2. THE NAVAL OFFICERS.

Originally the Secretary, residing at St. Mary's, was sole Naval Officer, and from as early as December, 1671, he deputed the successive sheriffs at the head of the bay and in Somerset County to act for him in those remote localities.⁸ It is not clear that he took any commission on the duties collected, but he did enjoy certain fees established by acts of April, 1650, and April, 1662.⁹

In June, 1676, Baltimore appointed three separate Naval Officers and settled these fees upon them.¹⁰ Their districts were to be Patuxent, embracing the whole of Chesapeake Bay from Point Lookout on the Western around to, but not including, Nanticoke River on the Eastern Shore; North Potomac, comprising the Maryland side of that river above its mouth at Point Lookout; and Pocomoke, which included the Pocomoke, Wicomico, and Nanticoke Rivers and the Atlantic coast, all at the southern end of the Eastern Shore.¹¹

Until the Protestant Revolution, as all duties were proprietary in nature, there was no felt need for provincial, as distinguished from proprietary Naval Officers. On September 4, 1689, however, the Convention of Freemen, having destroyed His Lordship's

sion of five p ct on all Money pd them by the Naval Officers. When many Negroe Ships arrived these offices were valuable but at present they are inconsiderable." He valued them together at £ 80 in 1761, and he rated the Eastern office at £ 20 to £ 30 in 1766 (Horatio Sharpe to Cecilius Calvert, Oct. 20, 1755; Sharpe to Board of Trade, Dec. 21, 1761; Sharpe to Lord Baltimore, Oct. 22, 1766, *Ibid.*, VI, 296; XXXII, 27; XIV, 334). An anonymous estimate of about 1745 values the two Treasurerships together at £ 250 sterling (Massachusetts Historical Society, *Collections*, ser. I, vol. VII [1801], 203).

⁸ *Archives*, V, 104, 111, 113, 121. At this time Charles Calvert was both Governor and Secretary.

⁹ *Ibid.*, I, 290, 454; VIII, 457.

¹⁰ *Ibid.*, VIII, 386, 438, 451, 457. The Secretary was now given, instead of the naval fees, the ordinary license fines and a saddle on attorneys in the provincial court (*Ibid.*, XV, 79). The Protestant Associators argued, in their articles against Lord Baltimore's deputies in 1690, that Naval Officers' fees were "not only without, but directly against the lawes of this Province therein made and provided . . ." (*Ibid.*, VIII, 217). They had indeed been legally settled on the Secretary, but as they were transferred to the Naval Officers in 1676 no provision was made for them in the general fee act of that year, which did not include the fees of these officers. In 1692 the grasping crown Secretary, Sir Thomas Lawrence, tried to obtain these fees on the ground that, like the ordinary license fines, they were an ancient perquisite of his office.

¹¹ Apparently the original incumbents were Lt. Col. Henry Lowe, Sr., Col. William Digges, and Col. William Stevens for the three districts respectively (*Ibid.*, XVII, 327, 401). Proprietary Naval Officers were thereafter appointed by the Agent and Receiver General (*Ibid.*, VIII, 66).

government, appointed three such provincial officers, one for each district, and ordered them to collect all duties whatsoever.¹² Thereafter appointment lay with the Governor. An act of October, 1694, which erected the ports of Annapolis and Oxford, required him to place a Naval Officer at each, and Francis Nicholson, on naming them, added one more to reside in Cecil County at the head of the bay.¹³

Baltimore had meanwhile retained his own Naval Officers and had obtained a privy council order of 1690/1 to enable them to collect those duties which were a part of his private income.¹⁴ He now placed an officer of his own at Annapolis and at Oxford.¹⁵ When, by a Council order of August 16, 1695, these proprietary officials were deprived of their fees, His Lordship settled upon them small salaries in tobacco amounting to £ 25 sterling a year for the officer at Patuxent and half that sum for each of the others.¹⁶

Throughout the royal period there were thus two sets of Naval Officers, the one collecting provincial and the other proprietary duties. Soon after his restoration, however, Baltimore ordered Governor Hart to have the provincial incumbents collect his proprietary along with the province duties, so that he could dispense with his own officers.¹⁷

There remained, then, after 1716/17, only the province Naval Officers, three in the lower and three in the upper parts of the bay. The Cecil County office was abolished some years prior to 1754.¹⁸

¹² *Ibid.*, XIII, 246. These were Maj. Samuel Bourne, Capt. John Coode, and Maj. Robert King for Patuxent, North Potomac, and Pocomoke, respectively.

¹³ *Ibid.*, XIX, 110; XX, 160. These were Capt. Richard Hill, Maj. Thomas Smithson, and Col. William Pearce for Annapolis, Oxford, and Cecil County, respectively. They were appointed on Oct. 18, 1694.

¹⁴ *Ibid.*, VIII, 234. This order, dated Feb. 27, 1690/1, was not at first obeyed. Apparently His Lordship's officers were allowed to collect the 12d per hogshead in May, 1692, and the 14d per ton in October, 1693 (*Ibid.*, XIII, 311-14; XX, 23-27).

¹⁵ He was required to do this by an order in Council of Aug. 16, 1695 (*Ibid.*, XX, 286).

¹⁶ *Ibid.*, XX, 286; John Kilty, *Land-Holder's Assistant and Land Office Guide* (Baltimore, 1808), 129.

¹⁷ See His Lordship's instructions to Gov. John Hart, Oct. 11, 1716, read in Council Jan. 11, 1716/7 (*Archives*, XXV, 344), and those to Agent Henry Lowe, Jr., Feb. 20, 1716/7 (Provincial Court Record, libert TP, no. 4, folio 413, Md. Land Office).

¹⁸ Col. John Veazey, last Naval Officer of Cecil County, was appointed Dec. 8, 1743 (Commission Book No. 82, folio 106, Hall of Records). A list of Maryland offices and their values, of about 1745, still refers to six Naval Offices. The

Eight Naval Officers were appointed under the new state government in April, 1777.¹⁹

The functions of a province Naval Officer, like those of a Treasurer, were twofold. He entered and cleared all vessels within his district; and he collected the provincial and, after 1716/7, the proprietary duties. At all times he collected the duties for support of government and for the Governor's support, which were royal under the crown and proprietary after His Lordship's restoration. He paid the proceeds of provincial duties to the Treasurer of his shore. All other duties collectable by him were paid to Baltimore's Agent and Receiver General or, under royal administration, to the crown Receiver.²⁰

By an act of June, 1692, the Assembly had given the provincial Naval Officers forty shillings for entering or clearing any ship other than the sloops trading to and from Virginia. On these the fee was to be thirty shillings. A more detailed schedule, enacted in October, 1694, provided identical fees for province Naval Officers and crown Collectors. These persisted to the end of colonial times.²¹ They were payable in money, but as the law had failed to specify sterling, Naval Officers were obliged, soon after 1743, to accept the local currency, circulating at about half the value of sterling.²²

Province Naval Officers had also a commission on the duties they collected. This amounted to eight percent on those pro-

list of 1754 does not mention that of Cecil County; and Gov. Sharpe's account of the Maryland offices, in 1761, speaks of only five Naval Offices. On these lists see note 25 below.

¹⁹ These new appointees, in the numerical order of their districts, were: Meverel Lock, George Biscoe, John Davidson, Thomas Sollers, Robert Dennis, Zachariah Campbell, Jeremiah Banning, and William Geddes.

²⁰ By an act of Parliament "for Preventing Frauds and Regulating Abuses in the Plantation Trade" (7 and 8 William III, 1696) a Naval Officer was required to give security to the Commissioners of the Customs in London (*Archives*, XXIII, 70, 116). He had also to give bond to the Governor in the penal sum of £ 500 or £ 1000 sterling, depending on the value of his office, for due collection of the provincial duties. After Henry Darnall's dismissal, as Naval Officer of Patuxent, in 1761, Baltimore ordered this provincial office bond raised to £ 1500 or £ 2000 and required a separate bond to himself for the collection and payment of proprietary duties (Calvert Paper No. 654, Md. Historical Society). Like customs officers, Naval Officers were expected to abstain from trade, but in point of fact they seldom did so. See the case of Philip Lee, Naval Officer of North Potomac, in June, 1741 (*Archives*, XXVIII, 242).

²¹ A parliamentary act of 10 George III, c. 37 (1770) removed Naval Officers' fees from the control of colonial assemblies but did not alter them.

²² *Archives*, XL, 367; XLII, 662, 670; Portfolio No. 3, folder 30, Hall of Records).

vincial duties listed above as payable to a Treasurer, and on these other duties payable elsewhere: ²³

Tobacco exported: 12d sterling per hogshead (enacted April, 1671), Sept., 1689, to Sept., 1716. Of this 3d was for arms and 9d for the Governor's salary. Payable to the Crown Receivers. (After 1715 this was a proprietary duty, with a separate additional 3d duty raised for purchase of arms; see below.)

Tobacco exported: 3d sterling per hogshead, June, 1692, to 1716/17; payable to the Crown Receivers for the Governor's use. (After 1715 this was a proprietary duty, but it was seldom enacted after 1739; see below.)

Tonnage duty: 3d sterling per ton (country bottoms excepted), Oct., 1694, to 1716/17; payable to the Crown Receivers for the Governor's use. (After 1715 this was a proprietary duty; see below.)

Tobacco exported: 15d sterling per hogshead, Sept., 1733, to Sept., 1764; to raise a fund to support the bills of credit; payable to the Trustees in London. (This was a provincial duty.)

From 1716/17 province Naval Officers further collected, at two percent, and paid to His Lordship's Agent and Receiver, all proprietary duties.²⁴ These now included the first three listed above together with two others, which were for Baltimore's personal use:

Tonnage duty: 14d sterling; country bottoms excepted (enacted May, 1661), from January, 1716/17, to the end of colonial times.

Tobacco exported: 2s sterling per hogshead (enacted August, 1716), Jan., 1716/17, to Sept., 29, 1733, when it expired. Taken in lieu of all quit-rents and alienation fines.

By the mid-eighteenth century Naval Offices differed rather widely in value. That of Annapolis was worth £ 200 sterling a year clear of the deputy's share. It was followed in order by those of North Potomac, Oxford, Patuxent, and Pocomoke. The last and least valuable, brought in about £ 50 sterling if executed by deputy and perhaps £ 80 to £ 100 if done in person.²⁵ A deputy

²³ Blathwayte Papers: Maryland (Huntington Library). It was ten percent from Sept., 1689, to Oct., 1694. This eight percent, expressly granted in most duty acts, seems to have been taken as a matter of course on all provincial duties except those levied in the supply acts of 1754 and 1756. On these the commission was only two and a half percent.

²⁴ This commission appears in Baltimore's instructions to his successive Agents and in instructions of the Board of Revenue to the Naval Officers. Cf. *Archives*, XXXVIII, 432; XXXII, 439.

²⁵ An estimate of about 1745 places the average value of Naval Offices at £ 150

would perform all duties of the office and account to his principal annually, retaining a fourth or a third of the profits.²⁶ Long tenure was the rule, and there are four cases of succession from father to son.

3. THE SHERIFFS.

Just as the Naval Officers collected duties payable at the ports, so the sheriffs, first appointed in 1637/8, collected taxes and fees payable within the province.²⁷ As the sheriff was, moreover, the Governor's representative within his own county, he was appointed or reappointed by the chief executive every year, but not without some interference by the Assembly and attempted interference by the Lower House.

On three occasions the delegates sought to take appointment of sheriffs out of the Governor's hands altogether, against the letter of His Lordship's charter.²⁸ There were also efforts to limit the Governor's choice. An act of May, 1661, and another of the following spring, required appointment from a list of three nominees presented by each county court. However in May, 1669, the Upper House refused to concur in reviving the latter act, because "the appointing Sheriffs is part of my Lord's royal juris-

sterling a year (Massachusetts Historical Society, *Collections*, ser. I, vol. VII [1801], 202). Another list of offices and their values, in 1754, rates Annapolis, and probably the other Naval Offices, too low and omits Pocomoke. It quotes the revenues in currency, at twenty-five to fifty percent discount from sterling, as follows: Patuxent, £ 174.15.7½; North Potomac, £ 272.14.1; Annapolis, £ 318.12.4; Oxford, £ 240.14.1½ (Portfolio No. 3, folder 30, Md. Hall of Records). Gov. Sharpe rated the Naval Offices in 1761 at from £ 50 to £ 150 sterling a year. In 1755 Col. Tasker declared that the office at Annapolis brought in £ 200 sterling clear of the deputy's salary. But Benjamin Young complained the following year that his Naval Office of Pocomoke, supposed to be worth £ 80 to £ 100 sterling, actually brought him in hardly £ 40. He lived in Baltimore County and acted wholly by deputy. Sharpe in 1766 rated the annual value of Pocomoke at £ 50 sterling. (Horatio Sharpe to Board of Trade, Dec. 21, 1761; Sharpe to Cecilus Calvert, March 12, 1755; Benjamin Young to Lord Baltimore, July 28, 1756; Sharpe to Lord Baltimore, Oct. 22, 1766, *Archives*, XXXII, 27; VI, 182; Calvert Paper No. 1197, Md. Historical Society; *Archives*, XIV, 334).

²⁶ Permission to act by deputy might be had from Lord Baltimore or, in cases covered by His Lordship's instructions, from the Governor (cf. Lords Baltimore and Guilford to Thomas Macnemara, Feb. 4, 1717/18, *Ibid.*, XXXIII, 170). On the deputy's terms see Chancery Record, liber 10, folio 160 (Md. Land Office), and Arnold Elzey, Jr. to John Leeds, Nov. 25, 1766 (Bozman Papers, I, art. 55, LC).

²⁷ The original appointees were James Baldrige for St. Mary's County and John Langford for the Isle of Kent, Jan. 29 and Feb. 9, 1637/8 (*Archives*, III 61, 63).

²⁸ These attempts occurred in March, 1638/9, August, 1642, and October, 1724 (*Ibid.*, I, 54, 148; XXXV, 41, 57).

diction & . . . therefore the two Houses ought not to intermeddle in making an Act for it." ²⁹

The delegates further sought to prevent his reappointment and so limit the sheriff's term to a single year, according to the practice of England, apparently in a belief that one serving so brief a time would be more responsive to public feeling and would be less addicted to those "great absurdities and abuses" of which they so often complained. ³⁰

Unfortunately the nature of the sheriff's office in Maryland, as it required the collection of large sums in tobacco, made so short a tenure impracticable. The sheriff had to hire numerous deputies, and he often gave credit to the poorer planters, paying their immediate obligations out of his own pocket. He was thus apt to lose money in his first year and to realize a profit only in the second or third year of his incumbency. Besides, the longer a sheriff served in this difficult office the more efficient he became. ³¹

An act of April, 1662, which expired seven years later, forbade all reappointments; but a subsequent law of November, 1678, merely required a previous certificate of good conduct from the county court. Even this limitation, moreover, expired in October, 1686. So during the earlier proprietary period sheriff tenures varied: some had but a single year while others were reappointed annually for three, four, or five years. In June, 1692, however, the term became uniform. A sheriff might now serve two years in succession, and by an act of July, 1699, he could have three years, separate commissions to issue for each year. ³² Under the Constitution of 1776 sheriffs were to be popularly elected for three year terms, but no sheriff could succeed himself.

The sheriff's income arose from tobacco fees and a salary, for

²⁹ *Ibid.*, II, 197. The same method was proposed in November, 1709, under crown government, by a conference of both houses; but though the delegates concurred with this report, the Upper House ignored it (*Ibid.*, XXVII, 388, 391-92).

³⁰ Complaints against the sheriffs were a regular feature of Assembly sessions throughout colonial times. Acts were passed to correct their "ill practices," the Governor admonished them by proclamation, and the Lower House called erring officers before it for rebuke and punishment. Of course much of this was because the sheriff collected taxes and fees among a people many of whom, as Gov. Sharpe observed, would as soon part with their lives as their money.

³¹ Cf. Stephen Bordley to Hercules Coutts, Dec. 11, 1756, quoted in the text below.

³² On March 20, 1701/2, several sheriffs prayed the Upper House for a still longer term. This petition the members "well approved of and thought reasonable," but the delegates rejected it the same day (*Ibid.*, XXIV, 217, 247).

his official acts, and from commissions on the funds he collected. His fees, first established by a law of March, 1638/9, were gradually increased in number and were at last codified and augmented by the general fee act of June, 1676. Thereafter, save for the occasional addition of new fees, they persisted until the Inspection Law of 1747, which reduced them all by twenty-five percent.³³ After November, 1698, each sheriff had also a stated annual salary in tobacco for conveying public letters and packets through his county.³⁴

The sheriff collected public and county levies and officers' and attorneys' fees at a commission which was fixed by a law of 1642 at ten percent and was reduced to six percent by the Inspection Act of 1747.³⁵ After 1692 he collected the clergy's forty pounds per poll, and after 1698 any parish levy, at a commission of five percent.³⁶ For the collection of special taxes, such as those levied under the Supply Acts of 1754 and 1756 he had other commissions provided by law.

The sheriff seems always to have collected the fines, forfeitures, and amercements, the various license fines, and the deodands, at a commission which in 1768 was five percent.³⁷ These were paid, under the proprietary, to His Lordship's Agent and Receiver General and, under the crown, to one of His Majesty's Receivers. For ten years, from 1756 through 1766, the sheriff also collected Baltimore's quit-rents and paid them to the Proprietary Agent retaining a commission of ten percent. However this plan had to be abandoned because it put too great a burden on the office.³⁸

³³ On the development of sheriffs' fees see *Ibid.*, I, 58, 164, 291, 308, 350, 360; II, 222, 532; XIII, 506, XXVI, 413, 535, 541; XXXVI, 535; XXXV, 190; XXVIII, 31, 77, 151; XLIV, 595; L, 303.

³⁴ See the acts of Nov., 1698 (chap. 17), July, 1699 (chap. 11), Oct., 1704 (chap. 45), Nov., 1710 (chap. 2), and Nov., 1713 (chap. 2). The last, which established annual salaries ranging from 600 to 1500 pounds of tobacco, remained in force to the end of colonial times, but the salaries were reduced a fifth by the Inspection Act of 1747. Cf. *Ibid.*, XXVII, 5; XXVIII, 473.

³⁵ By a law of March, 1671 (chap. 3), and by subsequent acts, a county court might levy each year small taxes in tobacco to defray the county charges.

³⁶ Cf. June, 1692 (chap. 2), July, 1696 (chap. 18), May, 1700 (chap. 1), March, 1702 (chap. 1), July, 1747 (chap. 1), Nov., 1753 (chap. 22), March, 1754 (chap. 1), Nov., 1698 (chap. 20), July, 1699 (chap. 9), and August, 1729 (chap. 7). By the Inspection Law of 1747 the clergy's forty pounds per poll was reduced to thirty pounds.

³⁷ *Ibid.*, XX, 229; XXXII, 406; see also Horatio Sharpe to Lord Baltimore, May 23, 1760 (*Ibid.*, IX, 409).

³⁸ Cf. Edward Lloyd to Cecilius Calvert, Dec., 1755, quoted in Cecilius Calvert

Indeed, although distributed as a political plum, the shrievalty was a difficult place and required, together with financial resources, both ability and experience. Governor Sharpe could write in 1768 that, "As to the Sheriffs Offices . . . though some of them if the Sheriff is very active and diligent punctual & well acquainted with the People of his County & their Circumstances may be worth £ 300 [sterling] a year yet the Instances of Peoples injuring their Fortune by undertaking these Offices have been very common owing to their not being in a sufficient degree possess't of the above mentioned Qualifications. . . ." ³⁹ In the same tenor is a letter of 1756 from Attorney General Stephen Bordley, a man of wide connections among the official class, to a newly appointed sheriff in Kent County: ⁴⁰

The Sheriffs office is a place either of Considerable gain or as Considerable loss; & the difference turns upon the proportion of Care, Exactness & diligence in the Execution of it; I would therefore recommend that you be very careful and Exact in your Accounts, to which end you must keep your Books yourself; and must oblige your Deputies on a certain day in Every fortnight at least, to come to your house, & settle their particular Accounts with you, that you may know how Tobaccoes etc. in their respective hands lye, & consequently how your affairs in General with Regard to the office are. . . .

Do not from a spirit of frugality, pinch yourself in the number of your Deputies; but Employ enough to do the business well & with ease; nothing will be lost by this method; for besides the Savings in having your business well done, the more you employ the less will their ridings be, & the less these are, the less may be their respective salaries.

Do not Credit the People over the year where it can possibly be avoided; for besides the Invidious Suspicion that this is done for the sake of charging them Interest, when they find the load of the 2d year added to the first, they Sensibly feeble the Burthen, and as they will chose to blame anyone rather than themselves, the Sheriff has the whole of it, & tho it be ever so unjustly, it will nevertheless affect his Character and raise a Clamour against him. . . . But if you should at any time Advance for a man who *cannot pay this year*, I think you may in such case fairly charge interest: Be punctual therefore & Strict in making them pay their Annual dues, that you may be punctual yourself; And if this be done without moroseness, and with good nature, the people will be so far from Censuring you at the Expiration of your time that, when you go

to Edward Lloyd, March 9, 1756, and Horatio Sharpe to Lord Baltimore, Aug. 15, 1765 (Calvert Paper No. 1181, Md. Historical Society; *Archives*, XIV, 214).

³⁹ Horatio Sharpe to Hugh Hamersley, July 25, 1768 (*Ibid.*, XIV, 517-18).

⁴⁰ Stephen Bordley to Hercules Coutts, Dec. 11, 1756 (Bordley Papers, Letter Book of Stephen Bordley, 1756-59, 22-24, Md. Historical Society).

out of Office, as they will find themselves Clear of debt to the Sheriff, they will then thank you for it; and I can assure you that the most popular Sheriffs we have had, have been such as have pursued this method, & been strict & made them punctual, in a Smiling good natured way.

Keep what Tobacco you can by you of your own till your time expires. . . . I must be understood to mean, that no Tobacco can be called your own, but what is over & above sufficient to satisfy all demands upon you as Sheriff; and in particular beware that you do not live upon the produce of the office, before you have compleated it; and so much the rather as the necessary demands upon the office will the first year take away a considerable part of the Stock you may have in hand; In so much that I have known some Sheriffs Who have thought themselves ruined by the first year, tho' they have at the Expiration of their time upon a strict & frugal management, found a considerable balance in their favor.

All pains and perils notwithstanding, the qualified incumbent might expect of his shrievalty £ 200 to £ 300 sterling a year, clear of all charges.⁴¹ Its brief tenure enabled the Governor to pass it around and to bestow it often on men who could not aspire to other places of profit. Yet, as it was the most sought after office in the province, there were always more applicants than places to be filled. Indeed, as Henry Callister could write in 1761, "There is not in Maryland a more trite question in most conversations than 'Who will be the next Sheriff?'"⁴²

4. CURRENCY COMMISSIONERS AND SUPPLY AGENTS.

Auxiliary to this provincial revenue establishment were the Paper Currency Office or Loan Office, set up in 1733, with its Commissioners and a clerk, and those Agents appointed to receive and pay out money under the Supply Acts of 1740, 1746, and 1756.

Maryland's first Currency Law, that of April, 1733, provided for an issue of £ 90,000. It was to circulate at twenty-five percent discount to sterling, under supervision of three Commissioners

⁴¹ An estimate of about 1745 rates the shrievalties at £ 200 sterling each and adds, "These are thriving offices, and in time of peace are worth more than £ 200 per ann. com. annis" (Massachusetts Historical Society, *Collections*, ser. I, vol. VII [1801], 202). Gov. Sharpe in 1757 valued the sheriff's place of Anne Arundel County at at least £ 200 sterling a year, and in 1768 he admitted some shrievalties might be worth £ 300 (Horatio Sharpe to Lord Baltimore, June 30, 1757; Sharpe to Hugh Hamersley, July 25, 1768, *Archives*, IX, 35; XIV, 518).

⁴² Henry Callister to John Ridout, March 29, 1761 (Callister Papers, II, 393, Md. Diocesan Library). Callister was a merchant at Oxford and Townside (the present Crumpton), on the Eastern Shore.

who were to be appointed by the Governor and who were in turn to appoint their own clerk.⁴³ Their duty comprised the signing of bills of credit and a limited supervision of the office. Their clerk attended to other writing and to all routine affairs. The original and several subsequent issues of currency were all sunk by April, 1766, and the Commissioners' authority then terminated.

However in December of that year a new Currency Act provided for \$173,733, to circulate at £0.4.6 sterling per dollar, under two Commissioners and a clerk appointed as before. The Constitution of 1776 continued this office but gave appointment of Commissioners to the House of Delegates. On May 31, 1777, William Eddis and John Clapham, those formerly appointed, wound up their business and, after an honorable discharge, returned to England.⁴⁴

Under the former act the Commissioners and their clerk received an identical salary which in sum amounted to £100 in 1734, £80 from 1735 through 1756, £100 in 1757, £90 from 1758 through 1763, and then £80 to April, 1766, all in currency.⁴⁵ The Commissioners had also two and a half percent, for paying out money to public creditors and for receiving like amounts from the Treasurers, under acts of April, 1735, and August, 1737. For disbursing certain other sums pursuant to the Supply Act of November, 1746, they got five percent.

Under the latter currency act the Commissioners and their clerk were paid entirely by salaries. Each Commissioner received \$250 from 1767 through 1773, \$450 in 1774, \$730 in 1775, and \$650 in 1776.⁴⁶ Their clerk had \$200 a year from 1767 through 1773, \$300 in 1774, \$560 in 1775, and \$510 in 1776.⁴⁷

⁴³ An earlier currency law, in Sept., 1731 (chap. 21), had failed of His Lordship's consent. For histories of the Maryland currency see C. P. Gould, *Money and Transportation in Maryland, 1720-1765* (Baltimore, 1915), and K. L. Behrens, *Paper Money in Maryland, 1727-1789* (Baltimore, 1923).

⁴⁴ Eddis, *op. cit.*, 352 *et passim*.

⁴⁵ Although the face value of this currency was at twenty-five percent discount from sterling, it usually circulated, until a few years before its redemption, at about fifty percent discount. That currency issued under the acts of 1766, 1773, and 1774 circulated at face value until about August, 1776, when it began to depreciate (cf. Behrens, *op. cit.*, 22-28, 55-56).

⁴⁶ Equivalent values in sterling: £56.5.0 from 1767 through 1773, £101.5.0 in 1774, £164.5.0 in 1775, and £146.5.0 in 1776.

⁴⁷ Equivalent values in sterling: £45.0.0 from 1767 through 1773, £67.10.0 in 1774, £126.0.0 in 1775, and £114.15.0 in 1776.

The first Supply Act, in July of 1740, appointed as Agents Mr. Benjamin Tasker, Colonel Robert King, and Dr. Charles Carroll of Annapolis. These were to receive £ 5000 currency out of the Loan Office and to disburse it in providing victuals, transport, and so forth for those five hundred men to be raised for an expedition against the Spanish Indies. They were then to repay this amount into the Loan Office by receiving, from the Naval Officers, one half of such duties on liquors, Irish servants, and Negroes as had previously been applied toward defraying the public charge and, from the sheriffs, the ordinary license fines, now set aside for this purpose. On all moneys so received and applied they were to have a commission of five percent.

The same persons were by an act of July, 1746, appointed to receive £ 3000 currency out of the Loan Office and to spend it in providing food and transport for the Maryland volunteers, now going to Albany for an attack on Canada. For this service each Agent was paid, under a law of that November, £ 100 currency, about £ 50 sterling, out of the public levy. By this latter act new Agents were appointed with similar duties and the same commission of five percent.

Under a Supply Act of July, 1754, Governor Sharpe himself received and disbursed the funds provided, without remuneration. But under the next and last such law, that of March, 1756, Agents were again appointed. This very complicated enactment names William Murdock, James Dick, and Daniel Wolstenholme and gives them a commission of two and a half percent on all sums received and applied. Its provisions, modified by later acts, finally expired on November 26, 1763. The value of previous Agencies is uncertain, but Sharpe rated this office under the law of 1756 at nearly £ 300 sterling a year.⁴⁸

⁴⁸ Horatio Sharpe to Lord Baltimore, June 30, 1757 (*Archives*, IX, 35).

CHAPTER VIII

REVENUE OFFICERS: PROPRIETARY

LORD BALTIMORE's revenue, like that of his province, consisted of duties collected at the ports and of moneys and tobaccos payable within the colony. Similarly his revenue establishment resembled the provincial system. There was an official for the receipt and disbursement of funds (the Agent and Receiver General); there were Naval Officers to collect the duties; and there were other functionaries, under various titles, to take up the internal revenue. But just as the proprietary income was more complex in its nature, so the mechanism for collecting it was more elaborate.

1. THE PROPRIETARY REVENUE.

Baltimore's income was of two unequal parts, the one possessed by him as head of government, the other his private revenue by gift either of the sovereign or of the Maryland Assembly.¹ The former part was crown property during the quarter-century of royal administration. The latter part was constantly in Baltimore's possession save for eight years, from the summer of 1699 to that of 1707, when he leased the greater portion of it to James Heath and Richard Bennett III.

His Lordship's revenue as head of government consisted of: (1) the twelve pence sterling per hogshead for support of government, granted in April, 1671, (2) two duties for the Governor's support (enacted under the crown; proprietary after 1715), (3) all fines, forfeitures, and amercements, except a few otherwise disposed of, (4) such license fines as he might impose and successfully collect; and (5) waifs, strays, and deodands.

The twelve pence and the two duties for the Governor's support were always collected by the Naval Officers who, after 1715, paid them to His Lordship's Agent and Receiver General, taking a commission of two percent. Similarly the fines, forfeitures, and

¹ The best account of this revenue in the second proprietary period is to be found in Barker, *op. cit.*, which contains (pp. 380-81) tables of figures based on the Agents' accounts preserved among the Calvert Papers at the Maryland Historical Society. Cf. note 17 below.

ameracements were collected and paid in by the sheriffs at five percent. Of the license fines, those Lord Baltimore sought to impose on ferrymen, pilots, hawkers, and peddlers were either not collected at all or were collected for so short a time as to yield no considerable income. The ordinary license fines, previously treated, were, however, of some value. All of these license fines, when collectable, were taken by the sheriffs, probably at five percent, and, whenever His Lordship had them, were paid to his Agent and Receiver. Waifs and strays were taken up by the rangers and deodands by the sheriffs.²

Baltimore's private income, much larger in amount, consisted of: (1) certain duties enacted for his personal benefit and (2) his territorial revenue as lord of the soil.

His Lordship's private port duties were collected by the Naval Officers who, from 1716/7, had a commission of two percent. The oldest such duty, and the only one constantly received, was the fourteen pence sterling per ton enacted in 1661.³ The other two were on tobacco, the one as a partial and the other as a full equivalent for the quit-rents and alienation fines. In 1671, for a duty of twelve pence per hogshead, Baltimore agreed to receive these payments in tobacco, instead of sterling, at a rate of two pence a pound, the actual value of tobacco being then nearer one penny.⁴ When hogsheads were enlarged by an act of June, 1715,

² The position of waifs and strays was in doubt from September, 1692, until after February, 1696/7 (cf. *Archives*, VIII, 362, 423; XXIII, 34). The earliest reference to rangers (not to be confused with bodies of troops, under the same designation, employed to defend the frontier) is in March, 1647/8 (*Ibid.*, I, 228). They were always appointed by the Governor, except in 1684-89; and from March, 1702 (chap. 7), they had to obtain certificates of good character from their county courts before appointment. On April 20, 1684, Baltimore appointed Col. Henry Darnall and Col. William Digges Chief Rangers of the whole province to take up wild horses for their own use and advantage; they in turn appointed deputies (*Ibid.*, XVII, 241-42; VIII, 36-37). In the royal period rangers might keep a third of the waifs and strays taken, and the rest went to the Governor for the King's use (*Ibid.*, VIII, 392-93; XX, 51). In 1735 His Lordship determined to dispense with the rangers, "many of them having proved legal Thieves," and to have the waifs and strays taken up by sheriffs. However, prior to 1754 rangers were again appointed (Lord Baltimore's Further Instructions to Agent Benjamin Tasker, March 25, 1735, par. 8, *Ibid.*, XXXIX, 509; Cecilus Calvert to Agent Edward Lloyd, Dec. 10, 1754, *Calvert Papers*, II, 185). The fees they paid for their commissions were a part of the Governor's revenue under the crown and a part of His Lordship's revenue under the proprietary (cf. Provincial Court Judgments, liber 21, folio 370, Hall of Records; and Barker, *op. cit.*, 381).

³ The Lower House questioned the Proprietor's right to this duty in and after 1739; see Mereness, *op. cit.*, 90-91, and Barker, *op. cit.*, *passim*.

⁴ This duty should not be confused with the other 12d per hogshead given His Lordship, by the same act, for support of government.

his duty was raised to eighteen pence. In the following year, however, it was replaced by a two shilling duty as full equivalent for all quit-rents and alienation fines. This law, called the Equivalent Act, was suffered to expire at Michaelmas, 1733; and Baltimore thereafter collected his territorial rents and fines in sterling.⁵ The proprietary's personal income, then, included the following port duties:

Tonnage: 14d sterling from May, 1661, to the end of colonial times.

Tobacco exported: 12d sterling per hogshead, as a partial equivalent, from April, 1671, to September, 1716. This was 18d during the last year.

Tobacco exported: 2s sterling per hogshead, as a full equivalent, from September, 1716, to September 29, 1733, when it expired.

Baltimore's territorial revenue consisted of: (1) caution money paid by persons taking up vacant or escheated lands, (2) quit-rents paid by freeholders, (3) alienation fines payable by anyone selling a freehold, and (4) rent paid by lessors within proprietary manors and reserves.

His Lordship's sale of land at a fixed "caution" or purchase price began in the spring of 1683 when the old head-right system was discontinued. This charge, doubled in 1704, was at first payable only in tobacco. After 1712 it was accepted in money at the rate of a penny a pound, and five years later it was set up in terms of sterling.⁶

Quit-rents, established with the first land patents, and alienation fines, imposed by the Conditions of Plantation of 1658, were originally payable at St. Mary's in sterling. But under the duty act of 1671 they might be discharged in tobacco at two pence a pound, and under the Equivalent Act (1716-33) they were not to be paid at all. Thereafter, as we have seen, both were again payable in sterling. His Lordship tried to exact alienation fines on devises in 1736 but had to give it up six years later.⁷

Proprietary manors and reserves were leased out in small

⁵ On circumstances surrounding the expiration of this act, and the delegates' subsequent efforts to get another such equivalent law, see Mereness, *op. cit.*, 79-83, and Gould, *op. cit.*, 38-40, 45-51.

⁶ See Baltimore's instructions to Agent Charles Carroll, Sept. 12, 1712, quoted in Kilty, *op. cit.*, 128-33; cf. Mereness, *op. cit.*, 77.

⁷ *Archives*, XL, 361; XXVIII, 291. Frederick, the last Baron Baltimore (1751-71), twice proposed to exact such fines on devises, but he was dissuaded by his Governor (cf. Horatio Sharpe to Cecilius Calvert, Feb. 10, 1754, and Baltimore's instructions to Sharpe, Dec., 1760, *Ibid.*, VI, 37; Portfolio No. 3, folder 5, Hall of Records).

parcels for long terms, often three lives. As the stewards managed them badly, and as the tenants were shiftless and wasteful, these lands brought in what seemed a disappointing return.⁸ They were finally cut up for sale in 1766.⁹ Yet parts were still unsold fifteen years later when the state of Maryland confiscated what remained.

At the restoration (1715) His Lordship's net private income had reached about £ 3000 sterling a year. Under the Equivalent Act (1716-33) it rose to £ 7000.¹⁰ At mid-century it was some £ 10,000 a year; and on the eve of the Revolution it amounted to around £ 12,000.¹¹

As we have already examined the work of Naval Officers, sheriffs, and rangers in collecting proprietary revenues, we shall deal here only with the office of Agent and Receiver General and with a number of subordinate posts concerned in territorial affairs.

2. THE AGENT AND RECEIVER GENERAL.

This officer, whose post was created in Baltimore's commission to Secretary Lewger, April 15, 1637, gained separate status on the appointment of Job Chandler, August 1, 1651.¹² However, in both proprietary periods the Agent had to work closely with the Governor, and he was frequently joined in commission with other officials.

On November 18, 1643, Baltimore appointed Governor Giles Brent, Secretary and Receiver Lewger, and three others, "Com-

⁸ Stewards were appointed by the Governor who, prior to 1761, allowed them gratuities for their services. Thereafter they might take five percent out of the rents of the manor. See Lord Baltimore's instructions to Gov. Samuel Ogle, June 18, 1733, and to Gov. Horatio Sharpe, Dec., 1760 (*Archives*, XXVIII, 68; Portfolio No. 3, folder 5, Hall of Records).

⁹ See Baltimore's commission and instructions to Horatio Sharpe, Daniel Dulany, and John Morton Jordan, Feb. 21, 1766 (*Archives*, XXXII, 134-40), and Mereness, *op. cit.*, 53-55.

¹⁰ J. V. L. McMahon, *An Historical View of the Government of Maryland* (Baltimore, 1831), 271; Cecilius Calvert to Horatio Sharpe, Feb. 28, 1764 (*Archives*, XIV, 137). Calvert seems to have erred in asserting that Maryland never yielded over £ 1400 a year prior to 1716.

¹¹ The net proprietary income was £ 9,582.2.10 and £ 9,661.17.5¼ in the years 1751 and 1752 (Calvert Paper No. 593, Md. Historical Society; Chalmers Papers, Maryland I, 31, NYPL). Gov. Sharpe's secretary, John Ridout, in his "Answers to Queries published in the London Chronicle 16-19 Sept. 1758," rated the annual net income at about £ 11,000 sterling, and William Eddis, in 1772, placed it at £ 12,500. Its exact amount in 1774 was £ 11,482.9.3 sterling (Portfolio No. 2, folder 7a, Hall of Records; Eddis, *op. cit.*, 125; Chalmers Papers, Maryland, II, 20, NYPL). Cf. the figures in Barker, *op. cit.*, 380-81.

¹² *Archives*, III, 53-54, 263-64.

missioners of My Treasury" with allowances in kind to each. A similar appointment issued on November 14, 1646, to Governor Leonard Calvert and Father Lewger, but Calvert died the following June, and Lewger returned to England in 1648. Our last reference to such Commissioners is in an instruction to Governor William Stone, dated August 6, 1650, just before the Cromwellian disturbances.¹³

From the fall of 1661 to the spring of 1684, save for a brief interval, Charles Calvert, who in 1675/6 became the third Lord Baltimore, was himself both Governor and Receiver General. On his final departure from the province he appointed, May 5, 1684, a Land Council consisting of the newly appointed Agent, Colonel Henry Darnall, the Joint Secretaries, and Colonel William Digges. This body ceased to act in the spring of 1689, at the outbreak of the Protestant Revolution, and we shall see that its powers ultimately devolved upon the Agent.¹⁴

Similarly, toward the close of the second proprietary period, this officer was made subordinate to a Board of Revenue appointed February 21, 1766, and organized in 1768. It consisted of the Governor (and Chancellor), Deputy Secretary, Commissary General, and Judges of the Land Office, and it now audited the Agent's accounts and absorbed his supervisory powers. In its first year the board actually obtained dismissal of one Agent and the appointment of another.¹⁵

Major Daniel of St. Thomas Jenifer, the last such officer, became Receiver General for a second time on September 9, 1771, and apparently turned in his last account late in 1774. Next year he was chosen president of the Council of Safety. The proprietary revenue system now collapsed. A law of May, 1780, abolished quit-rents, as of July 4, 1776, and in February, 1781, all proprietary lands were confiscated. Under an act of January, 1782, the Treasurer of the Western Shore assumed those territorial functions earlier done by the Agent: he now received money for vacant lands and issued orders to the Land Office for warrants of survey.

¹³ *Ibid.*, III, 140-143, 172-173; I, 319.

¹⁴ Kilty, *op. cit.*, 111-17; Provincial Court Record, liber WRC, No. 1, folio 761 (Land Office).

¹⁵ The journal of this Board of Revenue may be found in *Archives*, XXXII, 391-489. John Clapham, their clerk, appointed April 5, 1768, had a salary of £80 sterling a year (*Ibid.*, XXXII, 399). The members as such, had no remuneration.

The Agent's place in the proprietary revenue establishment was like that of the Public Treasurers in the provincial system, but his duties were more numerous and varied. In addition to those just mentioned he received proprietary duties from the Naval Officers, quit-rents from the collectors, farmers, or receivers, alienation fines from the county clerks, and manor rents from the stewards. In both proprietary periods he received fines, forfeitures, amercements, and deodands from the sheriffs and waifs and strays from the rangers.

Except under crown rule he paid the Governor's salary out of the twelve pence per hogshead for support of government (1671) and incidental expenses out of the fines and forfeitures.¹⁶ In the later proprietary period he also paid over to the Governor those two duties previously enacted (1692 and 1694) for that officer's better support. He further deducted his own salary and, until 1769, his commission. All the rest he remitted to His Lordship once a year, closing the accounts each Michaelmas.¹⁷

Prior to Baltimore's restoration all Agents, except Job Chandler (1651-59), had enjoyed one or more other offices of profit during their incumbency. The Receiver General, as such, may have had ten percent of the territorial revenue and perhaps also a salary. From the restoration (1715) until the first appointment of Major Jenifer, November 25, 1768, he had a salary for receiving the port duties and the quit-rents (collected after Michaelmas, 1733) and a commission of ten percent on all other proprietary incomes. The salary was £ 100 sterling a year until it was raised to £ 150 in 1733 or 1734. However, Colonel Edward Lloyd (1753) and his successors had to pay the Principal Secretary a saddle of £ 50. On Jenifer's first appointment this saddle was retained, the commission was discontinued, and the salary was raised again to £ 500.¹⁸ For those years in which we have complete accounts we

¹⁶ On incidental expenses out of fines and forfeitures cf. Horatio Sharpe to Lord Baltimore, May 23, 1760 (*Ibid.*, IX, 410).

¹⁷ Original Agents' accounts for the years 1731, 1733, 1748, 1752-61, and 1768-74, are preserved among the Calvert Papers in the library of the Maryland Historical Society. Cf. Barker, *op. cit.*, 380-81.

¹⁸ See His Lordship's commissions to Charles Carroll, March 24, 1715/16, and to successive Agents thereafter: Provincial Court Record, liber TP, No. 4, folios 383, 413; liber PL, No. 5, folios 369, 438; liber PL, No. 6, folios 401, 473; liber PL, No. 8, folio 300; liber EI, No. 9a, folio 420; liber DD, No. 4, folios 373, 482; liber DD, No. 5, folios 1, 216, 508 (Land Office); *Archives*, XXXVIII, 431. Under Baltimore's instructions to Gov. Sharpe, Dec., 1760, the Agent's

may then compute the Agent's net revenue, omitting fractions of a penny, as follows: ¹⁹

1731	£212.06.00	1757	£414.13.03
1733	188.07.10	1758	381.05.09
1748	485.15.05	1759	594.08.08
1752	575.15.00	1760	709.07.01
1754	663.11.02	1761	798.14.08
1755	434.12.01	1768	338.16.07
1756	410.18.08	1769-74	450.00.00

Associated with the Agent, and subordinate to him, were two rather elaborate organizations, one devoted to the granting and leasing of lands, the other to collection of quit-rents and alienation fines on freeholds and of rents on leaseholds. The former consisted of the Judges of the Land Office (and their register) the Surveyors General (and their deputies), the Examiner General, the Chancellor, and the stewards. The latter comprised the Rent Roll Keepers, collectors, farmers, receivers, county clerks, and stewards.

Lord Baltimore himself appointed the Agent, the Judges of the Land Office, and, under proprietary rule, the Chancellor. The Judges appointed their register, the Surveyors General their deputies, and the Secretary nominated the county clerks. All others were appointed, under crown rule, by the Agent, and, under proprietary rule, usually by the Governor at the Agent's advice.

Any person taking up vacant or escheated land first paid his caution money to the Agent and received an order for a common warrant. This warrant, drawn by the Clerk or Register of the Land Office and signed by the Judges of the same, was issued to the Deputy Surveyor of a particular county. He now laid off the required number of acres and sent his certificate of survey to the Examiner General for inspection and approval. The Examiner returned it to the Land Office, where the clerk would draw up a patent. This patent the Chancellor passed under his hand and seal and left again at the Land Office to be called for by the

commission on the revenue from manors and reserved lands was reduced to five percent, the half taken off being given to the stewards (Portfolio No. 3, folder 5, Hall of Records). The first salary raise seems to have come either at the appointment of Daniel Dulany, Sept. 9, 1733, or at that of his successor, Benjamin Tasker, Nov. 12, 1734.

¹⁹ These figures are derived by calculation from tables of the proprietary revenue in Barker, *op. cit.*, 380-81.

patentee. Then in December each of these officers issued an account of his tobacco fees to the sheriff, who collected them at a commission in the following summer. A lease of land within any proprietary manor or reserve might be had from the local steward.²⁰

At the head of the collecting mechanism stood the Rent Roll Keeper, who kept a roll of all free-holds, with the quit-rents payable on each, and issued a debt book annually to the collector, farmer, or receiver of each county. These collected the quit-rents and paid them to the Agent. In each county the Agent designated some person, usually the county clerk, to collect alienation fines at a commission. These were payable at or before the entering of a deed, the fact of payment being recorded on the original transfer and in the county land record.²¹ Stewards collected and paid in the rents on lease-holds.

3. THE JUDGES OF THE LAND OFFICE.

Throughout the early proprietary period the Secretary kept the land records. His duties here were extended and defined by that commission of May 5, 1684, which, as we have seen, joined this officer, the Agent, and one other into a Land Council.²² Meantime a separate Land Office, under the Secretary, had been established by the appointment, on April 19, 1680, of John Llewellyn as its Clerk and Register.²³

This office, closed at the beginning of revolutionary troubles, April 18, 1689, was not reopened until May 23, 1694, when the dispute between royal and proprietary officers over their land jurisdiction, was nearing a settlement.²⁴ Soon thereafter, by an instruction of December 30, 1695, Lord Baltimore settled on his Receiver General, Colonel Darnall, those powers and duties which had belonged to the Land Council.²⁵

Meantime the new Secretary under the crown, Sir Thomas

²⁰ See Gov. Sharpe's exposition of the land system in a letter to Lord Baltimore, May 23, 1760 (*Archives*, IX, 403-15).

²¹ On alienation fines see the instructions of the Board of Revenue to Agent Bennet Allen, June 30, 1768 (*Ibid.*, XXXII, 406).

²² Kilty, *op. cit.*, 111-17.

²³ Council Book for Land, folio 24 (Land Office); Provincial Court Record, liber WRC, No. 1, folio 172 (Land Office).

²⁴ McMahon, *op. cit.*, 247, 250.

²⁵ Provincial Court Record, liber WRC, No. 1, folio 761 (Land Office).

Lawrence, had got possession of the Patent Record, and had refused to surrender it to His Lordship's Agent. A final settlement between Sir Thomas and Lord Baltimore, negotiated by Solicitor General Trevor, was confirmed by the King in Council, February 13, 1695/6, and was promulgated by the Governor that October.²⁶

Sir Thomas was to retain the Patent Record but was to give the proprietary officers, Agent Darnall and Register Charles Carroll, free access to it. Fees for the sealing of land grants were to be equally divided between Baltimore's Agent and the Crown Chancellor. All other fees were to be similarly divided between the Agent and Register on the one hand and Secretary Lawrence on the other. In 1704 Baltimore doubled the purchase price of vacant lands, that is the caution money, and gave his Agent and Register the entire increase in lieu of that moiety of fees earlier lost to the Chancellor and Secretary.²⁷

At His Lordship's restoration, late in 1715, the Secretary in Maryland, once more a proprietary official, regained those territorial functions which he had had prior to 1690. Deputy Secretary Philemon Lloyd, on June 13, 1717, appointed one Edward Griffith Clerk or Register of the Land Office and himself assumed the title of Judge and Register of the same.²⁸ We may note that, although all subsequent Judges bore this full title, they were commonly called simply Judges of the Land Office, and they invariably appointed another to act as Register.

The first commission bearing this new title of Judge was issued to Deputy Secretary Edmund Jenings, March 20, 1732/3.²⁹ The office was separated from the Secretariat on appointment as Judge of Colonel Levin Gale, December 16, 1738.³⁰ From May, 1746, it was almost always divided between two joint incumbents.³¹ The last proprietary Judges of the Land Office were Dr. George Steuart (July 13, 1747) and Benedict Calvert (March 5, 1755).

²⁶ *Archives*, VIII, 387; XX, 434-35, 530-31. Sir Thomas had got the patent record by order of the Governor and Council, Oct. 14, 1692.

²⁷ *Ibid.*, XXVI, 54, 140-41, 143-44. See also Baltimore's instructions to Agent Charles Carroll, Sept. 12, 1712 (Provincial Court Record, liber TP, No. 4, folio 519, Land Office).

²⁸ Warrants, liber BB, folio 49 (Land Office); Kilty, *op. cit.*, 226, 269.

²⁹ Warrants, liber EE, folio 298 (Land Office).

³⁰ Commission Book No. 82, folio 64 (Hall of Records).

³¹ Provincial Court Record, liber EI, No. 8, folio 144 (Land Office).

Steuart went home to Scotland in 1775, and Calvert gave up his post in May, 1777. The Constitution of 1776 omitted this office, but an act of January, 1782, assigned it to the Chancellor.³²

The fees of this Judge, reckoned in tobacco, for such acts as the making and recording of warrants, the recording of certificates of survey, and the drafting and recording of land patents, were evidently fixed at an early date. But as the office was solely concerned in administering Baltimore's private property, its fees were not to be regulated either by Governor or by Assembly. Nor were they published by proclamation or established by law until 1747, when the Inspection Act merely confirmed, without altering, those previously taken.³³

Apparently these Land Office fees were always too high for Lord Baltimore's good: they restrained the purchase of land and thus slowed the increase of his quit-rents.³⁴ Yet, although in 1738 His Lordship was moved to require of his officers a list of their land fees, he took no further action either then or subsequently.³⁵ Nine years later, these charges, alone of all tobacco fees, were not reduced by the Inspection Law. Indeed, as this act raised the price of tobacco, it actually increased the sterling value of Land Office fees by twenty percent or more. However we have seen that in the previous year this office had been divided between two incumbents.

It would appear that the Judges took all fees of the Land Office and paid their Register perhaps £100 sterling a year, the usual salary of a superior clerk. After December, 1751, they had to pay jointly a saddle of £100 to the Principal Secretary. Their income was now further impaired by outbreak of the French and Indian War; and just at this moment Frederick, Lord Baltimore, demanded another hundred a year to settle on Mr. John Wogan of the Inner Temple, "for whom," he said, "I have a very great regard." However the combined appeal of Governor Sharpe,

³² Patent Record, liber DS, No. 2, folio 226 (Land Office); Kilty, *op. cit.*, 270, 273, 280, 373.

³³ Cf. Daniel Dulany to Cecilius Calvert, Sept. 10, 1764 (*Calvert Papers*, II, 242).

³⁴ Cf. Dr. Charles Carroll to John Darnall, April 23, 1752; Horatio Sharpe to Cecilius Calvert, Feb. 10, 1754; Daniel Dulany to Cecilius Calvert, Sept. 10, 1764 (*Maryland Historical Magazine*, XXIV [1929], 281; *Archives*, VI, 37; *Calvert Papers*, II, 241).

³⁵ *Archives*, XL, 593-94.

Secretary Calvert, and the two Judges proved sufficient to dissuade His Lordship.³⁶

The gross income of each Judge averaged, from 1746 through 1752, about £ 453 sterling; it fell to half this figure in the worst war years (1756-58), and thereafter it came to about £ 865.³⁷ If we reckon the office expenses of each officer (including the saddle) at £ 150, the net income will be about £ 300 sterling apiece in mid-century and over twice that amount after the French and Indian War.

The Register had, together with his salary, a few extra-legal but customary fees.³⁸ The Constitution of 1776 was to provide two Registers, one for each shore. The last such proprietary official, David Steuart, sworn in on October 14, 1774, yielded his place to St. George Peale, Register for the Western Shore, May 13, 1777.

4. THE SURVEYORS GENERAL.

The post of Surveyor General, like so many others, was originally held by Secretary Lewger, but it became a separate office on appointment of John Langford, March 24, 1641/2. Later, on December 7, 1697, it was permanently divided between two incumbents, one for each shore.³⁹ From 1716/17 to May, 1774, the Governor, or in his absence the President of the Council, usually held one or the other of the two Surveyorships. The last Surveyors General were Colonel Benjamin Young, Jr. (May, 1755) for the Eastern and Robert Smith (May 28, 1774) for the Western Shore. The Constitution of 1776 made no provision for this office and assigned its functions, appointment and instruction of County Surveyors, to the Governor and Council.

Of the first three Surveyors General Lewger and Langford had

³⁶ For details of the Wogan affair, Dec., 1754, to March, 1758, see the Sharpe correspondence as follows: *Ibid.*, VI, 127, 178, 294, 329, 517; IX, 48, 64, 67; XXXI, 481, 499.

³⁷ See the yearly totals of fees in tobacco as reported to the Lower House, Oct. 23, 1753, and Oct. 3, 1770 (*Ibid.*, L, 183; LXII, 219; *Maryland Gazette*, Nov. 29, 1770); cf. Barker, *op. cit.*, 382. In 1754 Dr. George Steuart, as joint Judge of the Land Office, received £ 437.1.6 currency (probably net) amounting to £ 218.5.6 sterling at the usual fifty percent discount, or £ 327.16.0 sterling at face value (Portfolio No. 3, folder 30, Hall of Records). In his report to the Board of Trade, Dec. 21, 1761, Gov. Sharpe valued the two Judgeships at £ 300 sterling each (*Archives*, XXXII, 27).

³⁸ Cf. *Ibid.*, XLVI, 588.

³⁹ Patent Record, liber 1, folios 46 *et seq.* (Land Office); *Archives*, III, 101-02; Warrants, liber A, folios 169, 206 (Land Office).

but one deputy, Robert Clarke; and Clarke, as Surveyor General, seems to have had none at all. However, the fourth such officer, Jerome White, from his appointment on September 9, 1661, chose numerous deputies and shifted to them the actual laying out of tracts and drawing certificates.⁴⁰ Within the next decade it became a rule to appoint one deputy in every county. Each took all fees and paid in either half the office income or a fixed salary, as his principal desired.⁴¹ By an act of June, 1674, all suits for malfeasance were to lie against the deputy and not against his superior. Moreover, in or shortly before May, 1683, the examining and passing certificates of survey, which may earlier have been done by the Surveyor General, was assigned to an Examiner General.⁴²

By this process the Surveyorship had now become an irresponsible sinecure, its functions confined to the appointment and occasional instruction of deputies. Yet it was not until 1725 that a conference of the two Houses resolved to ask the Governor to have it abolished.⁴³ Three years later the Upper House proposed a similar address, this time to Lord Baltimore himself.⁴⁴ But, though useless to the people, these Surveyorships were not without value to His Lordship, for with one he could help out his Governor and with the other oblige some favorite.

The fees, paid to the deputy and always in tobacco, were first established by an act of March, 1638/9, and were raised in the fee proclamation of August 2, 1642. After November, 1673, double fees were allowed for resurveys of more than one hundred acres.⁴⁵ By the Inspection Law of 1747 surveyors' fees were reduced one-fifth, but their value in sterling must have remained about the same.

The two Surveyorships may have had about equal worth until the 1730's, when there began a great development of what is now

⁴⁰ Cf. Patent Record, first seven libers, *passim* (Land Office).

⁴¹ For sample commissions to deputies in 1674 and 1685 see Kilty, *op. cit.*, 290, and *Archives*, XVII, 390. During the royal period there was also a "King's Surveyor" in each county, appointed by the Governor, "for Resurveying All Lands where differences arise at Law about Titles of Land . . ." (*Ibid.*, XIX, 70; XXV, 21; XXIV, 79).

⁴² Patent Record, liber 21, folio 544 (Land Office).

⁴³ *Archives*, XXXV, 226, 230; on this occasion the Upper House refused to act.

⁴⁴ *Ibid.*, XXXVI, 165; apparently no such step was taken.

⁴⁵ See the order in Council, Nov. 17, 1673, and the act of June, 1674, chap. 4 (*Ibid.*, XV, 29; II 392-94).

Frederick County. Thereafter the western post rose in value, outstripping its sister office on the Eastern Shore. In late colonial times this eastern Surveyorship was worth from less than £ 70 to over £ 100 sterling while that of the Western Shore may have brought in about £ 120 or £ 130 a year.⁴⁶

Sharpe reported to the Board of Trade in 1761 that Deputy Surveyors' offices were "of very little value, some of them not £ 10 a year but three or four of them who live in Counties where there still remains a good Deal of Vacant Land may get from £ 50 to £ 150 per Annum."⁴⁷ He wrote again in 1768 that "two or three of these [deputy's] Offices may perhaps bring in near £ 200 a year, but they earn it dearly the duty being very slavish, & the rest of them are so little worth that few Gentlemen in case of a Vacancy make Application for a Commission."⁴⁸ Under the Constitution of 1776 the Deputy Surveyors became County Surveyors.

5. THE EXAMINER GENERAL.

This officer, at first called a Deputy Surveyor General, made his appearance on Lord Baltimore's appointment of Robert Jones in or just before May, 1683.⁴⁹ His fees, for examining and signing certificates of survey, were fixed by the Conditions of Plantation, April 5, 1684.⁵⁰ The last colonial incumbent, Dr. Upton Scott, appointed in October, 1761, left Maryland in 1776. The office itself was to be reestablished, under the new state government, in 1782.

Although this was a useful post, its manner of establishment, by His Lordship's prerogative alone, offended the people, who in 1690 and again in 1728 tried to have it abolished.⁵¹ Moreover, the

⁴⁶ In 1754 the western Surveyor General received £ 226.11.7½ and the eastern officer £ 103.0.0, both in the local currency, which in face value was at twenty-five percent discount from sterling and which sometimes passed at as low as fifty percent (Portfolio No. 3, folder 30, Hall of Records). In his report to the Board of Trade, Dec. 21, 1761, Gov. Sharpe valued the two offices at £ 130 sterling each. To Secretary Cecilius Calvert, Sept. 12, 1762, he valued the eastern Surveyorship at over £ 100; but to Secretary Hugh Hamersley, July 25, 1768, he valued it at a mere £ 60 or £ 70 sterling (*Archives*, XXXII, 27; XIV, 68, 518).

⁴⁷ Horatio Sharpe to Board of Trade, Dec. 21, 1761 (*Ibid.*, XXXII, 27).

⁴⁸ Horatio Sharpe to Hugh Hamersley, July 25, 1768 (*Ibid.*, XIV, 518).

⁴⁹ Patent Record, liber 21, folio 544 (Land Office).

⁵⁰ *Archives*, XVII, 240, 364.

⁵¹ See the "Additional Articles . . . against the Lord Baltimore and his Deputies," 1690, *Ibid.*, VIII, 219. In 1728 the Upper House dissuaded the Lower by proposing instead to ask discontinuance of the Surveyorships General (*Ibid.*, XXXVI, 161, 165, 167).

Examiner suffered by omission of his fees from the successive fee acts, for with these charges settled only by Baltimore's instruction they were often hard to collect. Those fees established in tobacco in 1684 seem to have been doubled under crown rule, probably in 1704, when the purchase price of lands was doubled.⁵² In September of this latter year a bill in the Lower House to settle such fees and put them on execution failed to pass.⁵³ They were, however, included, at a twenty-five percent reduction, in the disallowed fee act of 1725/6 and in the Inspection Law of 1747.⁵⁴

We know that the Examiner General received 20,000 pounds of tobacco, about £ 86 sterling, in 1744 and £ 150 currency, perhaps £ 100 sterling, more or less, in 1754.⁵⁵ After the war his income for three years, 1767 through 1769, averaged about £ 235 sterling.⁵⁶ This substantial increase was doubtless a result of rapid settlement in Frederick County.

6. THE RENT ROLL KEEPERS.

The first requisite for collecting quit-rents was an accurate rent roll indicating the name and acreage of each tract and the rental and ownership of each parcel within it. Although our information is somewhat uncertain, it would appear that the compiling and keeping of such a record was originally a duty of the Secretary.

The earliest surviving rent roll, with entries coming down to 1659, seems to have been the work of Secretary Philip Calvert, who was appointed three years before this date, became also Receiver General, and in 1660 rose to the chief executive office.⁵⁷ Under his immediate successors this record apparently fell into neglect. On June 30, 1671, his nephew, Governor Charles Calvert, ordered each county clerk to make up a new roll of his own county and deliver it at St. Mary's that October.⁵⁸ In 1677/8

⁵² *Ibid.*, XVII, 240; XXXVIII, 394.

⁵³ See a complaint in behalf of the Examiner General, in the Lower House, Sept. 22, 1704, *Ibid.*, XXVI, 155-56.

⁵⁴ *Ibid.*, XXXVIII, 394; XLIV, 523, 566, 635.

⁵⁵ Thomas Bladen to Lord Baltimore, Nov. 15, 1744 (*Calvert Papers*, II, 112). The estimate of 1754 is in Portfolio No. 3, folder 30 (Hall of Records).

⁵⁶ Fees in tobacco as reported to the Lower House, Oct. 12, 1770 (*Archives*, LXII, 232; *Maryland Gazette*, Nov. 29, 1770). Cf. Barker, *op. cit.*, 382.

⁵⁷ Rent Rolls, liber Zero (Land Office). Duplicate copies among Calvert Papers, Nos. 880, 880a, 880b and 880c (Md. Historical Society).

⁵⁸ *Archives*, V, 91-92.

further orders were issued to the clerks in an effort to aid the Secretary in keeping his entries up to date.⁵⁹

On the surrender of proprietary government, August 1, 1689, the secretariat fell into abeyance, and custody of the current rent roll passed to His Lordship's Agent and Receiver General. The document itself was unfortunately destroyed when in 1699 vandals plundered Baltimore's house in Maryland and burned his papers.⁶⁰

His Lordship now leased the greater part of his territorial revenue to two "Copartners in Farming the Quit-Rents," James Heath and Richard Bennett III, who among other things were to make up a new and perfect rent roll of the province.⁶¹ This record, delivered in 1707, fell into confusion during the years of the equivalent duty (1716-33) but was restored under Governors Ogle and Bladen.⁶²

Meanwhile a separate office of Rent Roll Keeper had been created by the appointment of James Carroll about August, 1707, at or soon after the expiry of Heath and Bennett's lease.⁶³ He and his successors continued to act, though apparently without much diligence, throughout the interval of the equivalent duty. On resumption of quit-rents, and pursuant to His Lordship's instruction of June 18, 1733, the office was permanently divided between a Keeper for the Western and one for the Eastern Shore.⁶⁴ The last such officer on the Western Shore, William Hayward, appointed July 4, 1772, died in March, 1774. His colleague for the Eastern Shore, William Thomas, took office October 16, 1756, and ceased to act in 1775.

The Rent Roll Keeper was to obtain, from those officials concerned, notice of all patents, sales, and devises of land, to record

⁵⁹ *Ibid.*, XV, 159-60.

⁶⁰ *Calendar of State Papers, Colonial, 1706-08*, arts. 1346, 1522.

⁶¹ This lease, dated Oct. 16, and Oct. 21, 1699, to run from Aug. 1, 1699, to Aug. 1, 1707, involved the quit-rents and alienation fines but not the manor rents or tobacco duties. It was in the form of an indenture tripartite, the other party being Baltimore's son-in-law, Edward Maria Somerset of Pantley, Gloucester (Calvert Papers, Nos. 135, 136, Md. Historical Society).

⁶² *Archives*, XLIV, 151-52; Cecilius Calvert's plan for collecting quit-rents, May 4, 1753 (Black Books, XI, 22, Hall of Records); Lord Baltimore's additional instructions to Horatio Sharpe, March 30, 1753 (Portfolio No. 2, folder 4(1), par. 77, Hall of Records).

⁶³ Provincial Court Record, liber TP, No. 4, folio 519 (Land Office); *Archives*, XXXVIII, 432.

⁶⁴ *Ibid.*, XXXIX, 502.

the same in his rent roll, and to issue every year a debt book to the farmer or receiver of each county.⁶⁵ This book contained the name of each land holder, listed the parcels he owned, and showed the amount of his quit-rent. When signed by the Keeper it was good evidence in court should the farmer or receiver have to distrain for the rent.⁶⁶

The first two such Keepers, James Carroll and Richard Bennett III, who acted for both shores, seem to have been paid in an irregular manner. Carroll had a salary of 10,000 pounds of tobacco a year, about £ 40 sterling, and received at one time 4200 acres of land, at another 5800 acres.⁶⁷

On resumption of quit-rents Bennett's authority was confined to the Eastern Shore and Benjamin Tasker, Sr., soon after June 18, 1733, was appointed to the Western Shore. Thereafter both officers received, in lieu of any salary or fees, five percent of the net amounts paid the Agent by the farmers and receivers of each shore.⁶⁸ Under a supply act of May, 1756, they had further two and a half percent of the land tax now levied, which, like the quit-rents, was to be collected by the farmers. Although the act expired in November, 1763, collection of arrears was continued to the following Michaelmas.

The Rent Roll Keeper's income rose as the taking up of vacant land, and better means of collection, augmented the produce of quit-rents. As with the Surveyorships, the western office was increasingly the more valuable after 1733. The incomes in sterling, for the Western and Eastern Keeperships respectively, were £ 135.15.5 and £ 125.6.7 in 1751, £ 142.10.0 and £ 108.2.10 in 1752.⁶⁹ By 1774 the total revenue from quit-rents had risen more

⁶⁵ Cf. Lord Baltimore's additional instructions to Gov. Horatio Sharpe, March 30, 1753 (Portfolio No. 2, folder 4(1), par. 77, Md. Hall of Records).

⁶⁶ In 1754 Col. Edward Tilghman, the Eastern Shore Rent Roll Keeper, forgot to sign the debt books so that farmers and receivers were unable to distrain; cf. Cecilius Calvert to Horatio Sharpe, May 13, 1755, and Horatio Sharpe to Cecilius Calvert, May. 14, 1758 (*Archives*, VI, 206; IX, 179). The Maryland Land Office has a fine collection of these rent rolls and debt books. There are also rent rolls for each county and a few debt books in the Historical Society's library.

⁶⁷ Kilty, *op. cit.*, 129, 229. About 1730 Carroll's executors presented an account for 72,000 pounds of tobacco, which Baltimore refused to pay (*Archives*, XXXVII, 582).

⁶⁸ Cf. Lord Baltimore's instructions to Gov. Samuel Ogle, June 18, 1733; Baltimore's instructions to Agent Benjamin Tasker, Aug. 2, 1735; and Board of Revenue's instructions to Agent Bennet Allen, June 30, 1768 (*Ibid.*, XXVIII, 67; XXXIX, 511; XXXII, 404).

⁶⁹ Cecilius Calvert to Horatio Sharpe, Dec. 12, 1754, and May 20, 1755 (*Ibid.*, XXXI, 474, 480).

than forty percent with a comparable growth in the Keepers' incomes.⁷⁰ However the greater part of this increment must have gone to the Keeper for the Western Shore.

7. COLLECTORS, RECEIVERS, AND FARMERS OF QUIT-RENTS.

Apparently no regular method of collecting quit-rents arose in the first proprietary period. Land grantees were bound by their patents to pay these charges directly to the Receiver General at St. Mary's twice yearly, each Lady Day and Michaelmas. By 1644, however, annual payments had become the rule, and these were now taken up sometimes by specially appointed collectors, sometimes by the sheriffs.⁷¹

From the inception of royal government until passage of the Equivalent Act in 1716 all quit-rents were taken by these collectors, probably at a commission. They were appointed by the Agent, except during the lease of 1699 to 1707, when Bennett and Heath appointed them.

On resumption of quit-rents in 1733 the rent roll was found to be in such confusion as to make collecting rather difficult. For this reason the former method, and the previously existing office of collector, were not revived. Instead, most counties were now farmed out on three year contracts at a discount of twenty-five percent on the estimated total, while the remaining counties, those which could not be farmed, were entrusted to receivers at a ten percent commission. Each farmer was responsible for the entire amount of quit-rents, minus his discount, and was bound to compile a county roll for the Rent Roll Keeper. A receiver, on the other hand, was responsible only for what he could collect and was not required to compile a rent roll.⁷² In October, 1755, all receivers were discharged.⁷³

Meanwhile the farmers' discount had been progressively reduced as the perfection of His Lordship's rent roll eased their collecting. Sharpe in 1753 found it at twenty percent and at once

⁷⁰ See tables in Barker, *op. cit.*, 380.

⁷¹ Kilty, *op. cit.*, 257; *Archives*, III, 147, 267-68; XV, 119-20.

⁷² See Lord Baltimore's instructions to Gov. Samuel Ogle, June 18, 1733; Baltimore's instructions to Agent Benjamin Tasker, March 18, 1735/6; Gov. Thomas Bladen's report to the Lower House, Sept. 10, 1745; Cecilius Calvert's plan for collecting the quit-rents, May 4, 1753 (*Ibid.*, XXVIII, 67; XXXIX, 513; XLIV, 151-52; Black Books, XI, 22, Hall of Records).

⁷³ This was incident to employing the sheriffs as farmers.

made two year contracts at fifteen percent.⁷⁴ On expiration of these he ordered the sheriffs to farm the quit-rents at ten percent.⁷⁵ This was at the suggestion of Secretary Cecilius Calvert, who knew, he said, at least seven reasons why the sheriffs would be the best and cheapest farmers.⁷⁶ Experience however proved him wrong. The sheriff was too much engaged in other matters; and farming at so low a rate could be profitable only to one with several counties in his charge.⁷⁷ The farming of quit-rents to private persons, at discounts of ten or fifteen percent, was consequently resumed in 1767.⁷⁸ They ceased to act in 1775.

⁷⁴ See Lord Baltimore's additional instructions to Gov. Horatio Sharpe, March 30, 1753, and Horatio Sharpe to Cecilius Calvert, May 3, 1754 (Portfolio No. 2, folder 4(1), par. 78, Hall of Records; *Archives*, VI, 60).

⁷⁵ Horatio Sharpe to Cecilius Calvert, Oct. 20, 1755 (*Ibid.*, VI, 295). By 1756 this new method seems to have produced some increase, perhaps twelve or fifteen percent, in the proprietor's income (Calvert Paper No. 953, Md. Historical Society).

⁷⁶ Cecilius Calvert's plan for collecting the quit-rents, May 4, 1753; Cecilius Calvert to Agent Edward Lloyd, March 9, 1756 (Black Books, XI, 22, Hall of Records; Calvert Paper No. 1181, Md. Historical Society).

⁷⁷ Edward Lloyd to Cecilius Calvert, Dec., 1755, quoted in Cecilius Calvert to Edward Lloyd, March 9, 1756; Horatio Sharpe to Lord Baltimore, Aug. 15, 1765 (Calvert Paper No. 1181; *Archives*, XIV, 213-14).

⁷⁸ Horatio Sharpe to Lord Baltimore, March, 1767 (*Ibid.*, XIV, 375-76). On the commissions offered the various farmers see *Ibid.*, XXXII, 409, 447, 488.

CHAPTER IX

REVENUE OFFICERS: ROYAL

THERE WERE REALLY two crown revenue establishments in Maryland, one temporary, existing only under crown administration, and the other permanent, set up in 1673 and developing thereafter until the Revolution.

The former establishment consisted of two Receivers, to take and disburse all funds for support of government, and a Deputy Auditor to review their accounts. The funds they received arose in part from the twelve pence per hogshead (1671), collected by Naval Officers, and from the fines and forfeitures collected by sheriffs. As under proprietary rule both appertained to Lord Baltimore, the Receivers here succeeded, and in 1715 were succeeded by, His Lordship's Agent and Receiver General. Further, the Receivers took from the Naval Officers and paid to the Governor the produce of two duties now levied for his better support, that is, the three pence per hogshead (1692) and the three pence per ton (1694). These too became proprietary revenues, and were received by His Lordship's Agent, after 1715.

The latter crown establishment, comprising Collectors, Surveyors, and Comptrollers of customs, enforced the English navigation laws and collected the "plantation duty" levied by Parliament in 1673.¹

1. THE TEMPORARY ESTABLISHMENT, 1692-1715.

On January 8, 1691/2, at the inception of royal government, William and Mary appointed Colonel George Plater to be Receiver of Patuxent District and Colonel Nehemiah Blakiston to be Receiver of North Potomac and Pocomoke.² These units were

¹ This duty, enacted by 25 Charles II, c. 7 (1673), amounted to one penny a pound on tobacco exported to other colonies. Customs officers also collected those import duties levied by Parliament in 1733 (6 George II, c. 13), 1763 (4 George III, c. 15), and 1767 (7 George III, c. 46, partly repealed in 1770 by 10 George III, c. 17).

² *Archives*, XXIII, 192. Blakiston's commission does not appear, but he was evidently appointed at the same time (cf. *Calendar of Treasury Books*, X, part 3, 1186, 1191). On Aug. 16, 1692, Gov. Lionel Copley had appointed Thomas

coterminous with the Naval Officer districts previously described. After Plater's death in 1707 the Governor and Council deputed Colonel John Rousby, who now married Plater's widow, to succeed him also for the time being as Receiver. George Muschamp, who in 1693/4 had succeeded Blakiston, was in 1709 succeeded by John Dansey.³

At their first appointment William and Mary had given them each a salary of £100 sterling out of the two crown revenues they were to receive.⁴ But the twelve pence had all been appropriated by act of Assembly, three pence for arms and nine for the Governor's salary; and in March, 1694/5, those fines and forfeitures levied in Provincial Court were given to the Clerk of the Council. All that was left were the remaining fines and forfeitures, which in Patuxent district came to less than half Plater's salary and in Muschamp's two districts amounted to barely £15 a year.⁵ In September, 1696, these Receivers got the Upper House to intercede with the delegates, asking some further provision for their payment, and in June of 1703 both prayed the Council for allowance out of the three pence for arms.⁶ Finally, sometime the following year, by carrying an appeal to the Treasury, they obtained arrears out of the Queen's part of a sugar prize lately brought in.⁷

Meanwhile, in 1703, George Muschamp had obtained from the Treasury Lords a raise of £20 and leave to draw his salary from

Tench "Their Majesties' Treasurer and Receiver General," but he was now superseded on arrival of these commissions for Plater and Blakiston (*Archives*, VIII, 352).

³ *Ibid.*, XXV, 235; *Calendar of Treasury Books*, X, part 3, 1191; *Archives*, XXVII, 396; XXX, 47. As the Receiver of North Potomac and Pocomoke always resided in the former district, he usually employed the Naval Officer of Pocomoke as his deputy (cf. *Ibid.*, XXIII, 275). After establishment of the ports of Annapolis and Oxford in 1694 the Receiver of Patuxent kept a deputy at each (Blathwayte Papers, Huntington Library).

⁴ See appointments and instructions (*Archives*, XXIII, 192-95, XX, 504-07) and the correspondence of Jan., 1691/2, in the Blathwayte Papers, Huntington Library. From June, 1692, to October, 1694, the Receivers also took the four pence per gallon on liquors imported, thereafter received by the Public Treasurers. They had no commission on any of these funds.

⁵ See Treasury Lords to William Blathwayte, Jan. 22, 1702/3, and John Seymour to Board of Trade, June 10, 1707 (*Calendar of Treasury Books*, XVIII, 115; Public Record Office, Colonial Office, 5:716, part 2, LC). Each Receiver had also a Collectorship or a Naval Office to eke out his income.

⁶ *Archives*, XIX, 452, XXV, 161. Nothing came of either appeal.

⁷ *Ibid.*, XXV, 168; *Calendar of Treasury Books*, XIX, 130, 137, 197. Their petition was probably dated in October, 1703. Blathwayte recommended granting it Feb. 15, 1703/4.

the plantation duty.⁸ John Rousby, on the other hand, at his succession to the Patuxent Receivership, began illegally to deduct his from the three pence for arms.⁹

In November, 1709, a committee to inspect the province arms and ammunition reported Rousby's conduct, but it was not till May, 1715, near the end of the royal period, that the Lower House formally complained to Governor Hart.¹⁰ They further inquired how many Receivers were in office, by what authority they acted, and how they were supposed to be paid. The Governor and Council replied in part that there were two Receivers where but one was needed, and that His Excellency would take care to reduce their number on arrival of the Surveyor General of Customs now daily expected.¹¹

Accordingly Hart obtained the dismissal of Dansey, Receiver of North Potomac and Pocomoke, and in October, after learning that Rousby had no commission other than that formerly given Plater, he got rid of the Patuxent Receivership.¹² On restoration of Lord Baltimore's government, proclaimed two months later, reception of these port duties, and of the fines and forfeitures, became a function of His Lordship's Agent and Receiver General.

Just before appointment of the Receivers William Blathwayte, Their Majesties' Surveyor and Auditor General of the Plantation Revenues, had appointed Edward Randolph his Deputy Auditor in Maryland, to review the Receivers' accounts.¹³ Randolph died

⁸ *Ibid.*, XVIII, 115, 246, 363. Royal letters patent, reappointing Muschamp at this higher salary, issued on Aug. 18, 1703. The Receiver of Patuxent, who remained at the old salary, actually did more business (cf. John Seymour to Board of Trade, June 10, 1707, Public Record Office, Colonial Office, 5:716, part 2, LC).

⁹ Rousby took his salary from this source from April 3, 1707, to Oct. 28, 1715, when his office was discontinued (*Archives*, XXVII, 451-52; XXX, 455). Later on the Lower House tried to make him pay it all back (cf. *Ibid.*, XXX, 455, 460; XXXIII, 397-98, 410).

¹⁰ *Ibid.*, XXVII, 451-52; XXX, 45-47.

¹¹ *Ibid.*, XXX, 45-47.

¹² *Ibid.*, XXX, 150, 396, 455; XXXIII, 410.

¹³ *Calendar of Treasury Books*, IX, part 4, 1421; Edward Randolph to Lionel Copley, April 13, 1692 (*Archives*, VIII, 316). The appointment was dated Dec. 20, 1691. Although he was in office more than a decade, there is no evidence (in the Blathwayte Papers) that Randolph ever performed his duties. Blathwayte, as Surveyor and Auditor General, from 1680 until his death in 1717, expected a salary from each of the plantation governments. However the Maryland Lower House, as they had not established his office, would not pay to support it. The Governor did get him a gratuity of £ 50 in October, 1695, but later efforts, in July, 1699, and May and September, 1704, yielded him nothing (*Archives*, XIX, 165, 234; XXII, 357; XXIV, 342-43, 348; XXVI, 80, 85; Francis Nicholson to Bishop of London, Feb. 13, 1695/6, *Maryland Historical Magazine*, XII [1917], 119).

in 1703, and his successor, Colonel William Bladen, served out the remainder of the royal period.¹⁴

In Virginia the Deputy Auditor received five percent for taking an audit of the quit-rents, paid in tobacco, and then two and a half percent for converting this tobacco into money or bills of exchange.¹⁵ This would suggest that the Deputy Auditor in Maryland may have taken five percent on all or a part of the Receivers' accounts which, except for the fines and forfeitures, were in money.

2. THE PERMANENT ESTABLISHMENT, 1673-1776.

The British customs establishment in Maryland was but one unit of a larger system administered by the Lords of the Treasury through a Board of Customs Commissioners. This board, set up at London in 1671, was aided after 1767 by a Board of Customs Commissioners for the colonies, resident at Boston.¹⁶

Originally, enforcement of the Navigation Act (1660) devolved upon the governor of each colony. As this obligation entailed some trouble, Governor Charles Calvert, in November, 1672, obtained a salary of £ 200 sterling payable from the previous Christmas.¹⁷

After enactment of the plantation duty a separate customs establishment was set up by commissions and instructions of November and December, 1673. Governor Calvert now became Collector of Patuxent District, which at this date embraced the whole of Maryland, and Colonel Henry Coursey, appointed Surveyor and Comptroller General of the province, was instructed to audit his accounts.¹⁸

Instead of his former salary Collector Calvert was now to be allowed certain fees, for entering, clearing, granting certificates,

¹⁴ *Calendar of Treasury Books*, XVIII, 377. Unlike his predecessor Bladen actually audited the Maryland accounts (Blathwayte Papers, Huntington Library).

¹⁵ *Calendar of Treasury Books*, XIX, 278; *Archives*, XXIII, 497.

¹⁶ For a description of the customs establishment as a whole see E. E. Hoon, *The Organization of the English Customs System, 1696-1786* (New York, 1938) and C. M. Andrews, *The Colonial Period of American History*, IV, *England's Commercial and Colonial Policy* (New Haven, 1938).

¹⁷ Treasury Warrant to Customs Commissioners, Nov. 12, 1672 (*Calendar of Treasury Books*, III, part 2, 1345); Charles Calvert to Lord Baltimore, June 2, 1673 (*Calvert Papers*, I, 285). See also Governor Calvert's proclamation about the Navigation Law, Jan. 31, 1661/2 (*Archives*, III, 446) and early instructions about enforcement of the law (*Ibid.*, V, 446; XVII, 392; XX, 345; XXIII, 311).

¹⁸ *Calendar of Treasury Books*, IV, 427. Both were appointed under a Treasury warrant of Nov. 27, 1673.

and so forth, together with half the produce of the duty. Surveyor and Comptroller Coursey, who could take no fees, was at first to have a third of the duty, but his portion was reduced to a fourth in March, 1674/5.¹⁹

Twenty years later, in 1694, the entire net produce of this plantation duty in Maryland and Virginia was given to the College of William and Mary. To reduce costs of collection the post of Surveyor and Comptroller General was abolished and its function assigned to the college governors. The Collector's share was reduced from a half to a fifth.²⁰

Meanwhile the original district, Patuxent, had been restricted by establishment in 1686 of two new districts, North Potomac and Pocomoke.²¹ In 1752, to the disgust of Collector Benedict Calvert, it was further confined by erection of a fourth district, Chester and Patapsco. This was to provide for the Rev. James Sterling, who had friends in the Treasury, and it embraced the head of the bay from the Patapsco around to and including Chester River on the Eastern Shore.²² As it was a place of very little business, it should have been discontinued on Sterling's death in 1763. However, one William Geddes soon after obtained a collectorship of Chester River only, the Patapsco and other rivers reverting to Patuxent.²³

Each Collector supervised his district and appointed deputies in those remote parts he could not personally attend to. Prior to

¹⁹ *Ibid.*, IV, 424, 427, 437, 452, 659, 705; VI, 25. Cf. Charles Calvert to Lord High Treasurer, July 24, 1674 (Calvert Paper No. 1066, Md. Historical Society). For instructions to the Surveyor and Comptroller General and to the Collectors see *Archives*, XX, 167, 351; XXIII, 254.

²⁰ *Calendar of Treasury Books*, IX, pt. 5, 1966; X, pt. 1, 25; *Archives*, XX, 145, 341. On this plan the Treasury Lords reported favorably, July 15, 1692; the King in Council approved it on Sept. 1, and a royal warrant for the grant issued on Jan. 25, 1692/3. The new arrangement was announced in Maryland by the Governor and Council on Oct. 8, 1694.

²¹ *Ibid.*, V, 526. Col. George Layfield was appointed for Pocomoke District, March 19, 1684/5, and Col. Nehemiah Blakiston for North Potomac, Sept. 26, 1685. Both were sworn in on Nov. 19, 1686.

²² Public Record Office, Treasury, 11/24, p. 155; Audit Office, b. 815, r. 1058, LC. Sterling was appointed March 25, 1752; he died Nov. 10, 1763. See also the letters cited in note 23 below.

²³ Public Record Office, Treasury Board Papers, b. 452, r. 195, LC. Cf. John Williams to Customs Commissioners at Boston, May 26, 1770, and Customs Commissioners to Treasury Lords, Sept. 28, 1772 (*Maryland Historical Magazine*, XXVII [1932], 233-38). Geddes was appointed shortly before Jan. 28, 1766.

the first division of Patuxent District Collector Christopher Rousby (appointed in 1676) kept a deputy on the Eastern Shore.²⁴ Afterward, under a law of October, 1694, the Collector of Patuxent had to maintain a deputy, who was usually the Naval Officer, at each of the newly established ports of Annapolis and Oxford. A Patuxent customs house was erected at Annapolis early in 1770.²⁵ As the navigable waters of North Potomac District extended so far inland, the Collector and Naval Officer there often lived apart, one in its upper and the other in its lower reaches, each serving as the other's deputy.²⁶ The Collector of Pocomoke kept a deputy on the sea-board side; and Sterling, who lived at New Town on Chester, employed one at Baltimore.²⁷

In 1695-98 Governor Nicholson obtained appointment of certain "preventive officers," namely two Surveyors and Searchers, one at each of the ports, and three Riding Surveyors, all on the Eastern Shore. They could enter ships and warehouses, break open trunks and packages, and seize goods for infringement of law. The Surveyors and Searchers were to reside and act at their ports, while the Riding Surveyors were to patrol remote areas in quest of smugglers. One was stationed on the Bohemia and Sassafra Rivers in Cecil County, another on Pocomoke River, and a third on Wicomico River and Monie Bay.²⁸

The efficiency of these officers is questionable. Governor Sharpe in 1760 thought all the Surveyorships "so many Sine Cures."²⁹ Ten years later Inspector John Williams reported that, "A Surveyor is but of little use to the Service, as Business is done here. Vessels load and unload throughout those Rivers at such a considerable distance from each other, that the very Expense of Visiting them would be much more than the Salarys they receive,

²⁴ *Archives*, XXIII, 536. Similarly Col. George Layfield, the last Surveyor and Comptroller General (appointed in 1684/5), who lived on the Eastern Shore, kept a deputy on the Western Shore (*Ibid.*, VIII, 37).

²⁵ *Ibid.*, XX, 293; XXV, 582; John Williams to Customs Commissioners at Boston, May 12, 1770 (*Maryland Historical Magazine*, XXVII [1932], 233).

²⁶ *Archives*, XXV, 582.

²⁷ *Ibid.*, XX, 487; *Maryland Gazette*, Aug. 27, 1752; John Williams to Customs Commissioners at Boston, May 26, 1770 (*Maryland Historical Magazine*, XXVII [1932], 234). New Town was, of course, the present Chestertown.

²⁸ Cf. Hoon, *op. cit.*, 115, 183. For early commissions to Surveyors and Searchers see *Calendar of Treasury Books*, VI, 313; *Archives*, XXIII, 326, 356, 380; XXV, 84; for commissions and instructions to early Riding Surveyors see *Ibid.*, XX, 303, 389; XXIII, 326, 356, 358-61, 390; XXV, 130. On illegal trade at the head of the bay and on the Eastern Shore see *Ibid.*, V, 83, 91, 104, 113; XXV, 582.

²⁹ Horatio Sharpe to William Sharpe, July 8, 1760 (*Ibid.*, IX, 437).

on that Account little Service is done by these Officers." ³⁰ The Commissioners at Boston had in fact two years earlier, in 1768, urged suppression of the Riding Surveyorship at Bohemia and Sassafras and of the Surveyor and Searcher's office at Annapolis.³¹ However the Treasury Lords, loath to reduce their own patronage, maintained a full quota of these offices until the Revolution put an end to all of them.

On the enactment of new parliamentary duties, just after the French and Indian War, one Comptroller was placed in each of the Collector's districts (1764-66). He was to share in supervising the district and to audit the Collector's accounts.³² The full customs establishment now consisted of four Collectors, two Surveyors and Searchers, three Riding Surveyors, and four Comptrollers.³³

All of these officers were appointed in one of two ways, either by patent from the crown or the Treasury Lords or by deputation from the Customs Commissioners.³⁴ There are, however, but three instances in Maryland of appointment by letters patent.³⁵ In either case ultimate decision rested with the Treasury: royal patents issued only on their motion and deputations only on their warrant. At first the Treasury would order deputation of persons earlier "presented" to them by the Commissioners. But they tended increasingly to act at their own discretion.³⁶ Meantime the Secretaries of State, particularly the Duke of Newcastle, gained

³⁰ John Williams to Customs Commissioners at Boston, May 12, 1770 (*Maryland Historical Magazine*, XXVII [1932], 232).

³¹ Customs Commissioners to Treasury Lords, Oct. 28, 1768 (*Ibid.*, XXVII [1932], 238).

³² Commission Book No. 82, folio 163 (Hall of Records); Public Record Office, Audit Office, b. 821, r. 1071, LC; Gilmor Papers, II, 44 (Md. Historical Society); *Archives*, XIV, 311. The appointments are dated from July 27, 1764, to May 30, 1766.

³³ On the eve of the Revolution these officers were as follows: Collectors: Benedict Calvert, Patuxent; Daniel Wolstenholme, North Potomac; William Bacon, Pocomoke; William Geddes, Chester. Surveyors and Searchers: William Eddis, Annapolis; John Leeds, Oxford. Riding Surveyors: Robert Stratford Byrne, Bohemia and Sassafras; Levin Gale, Pocomoke; William Bacon, Wicomico and Monie. Comptrollers: James Gibbs, Patuxent; Dr. Upton Scott, North Potomac; Andrew Ragg, Pocomoke; John Clapham, Chester. All had been in office five years or more except William Bacon as Collector of Pocomoke, who had succeeded Robert Heron in that post on Nov. 24, 1774.

³⁴ Cf. Hoon, *op. cit.*, 195.

³⁵ Col. George Plater and Col. Nehemiah Blakiston, Jan. 8, 1691/2, as Receivers; George Muschamp, Oct. 8, 1695, as Collector and Receiver of North Potomac, all by royal letters patent.

³⁶ Hoon, *op. cit.*, 50, 198. An example is Sterling's appointment as Collector of Chester and Patapsco.

increasing influence over this patronage. By 1760 customs places were best obtained by applying directly to Newcastle.³⁷

However, to avoid the delay of six months or a year, which would normally follow upon the death of an officer and application to London for a new appointee, the Surveyor General of Customs in the plantations might appoint some new incumbent at once.³⁸ To the same end each Governor, after 1727, could fill a vacancy for the time being should the Surveyor General be absent or dead.³⁹ But as any such deputation required later approval by the Surveyor General, the Customs Commissioners, and the Treasury, the Governor's appointee was liable to be removed by one or another of these.

Each officer, unless a royal patentee, held office at pleasure of the Customs Commissioners, who had wide powers to dismiss, to discipline, and to promote.⁴⁰ Once appointed, however, an incumbent usually retained his place until death or resignation, for promotions and dismissals were alike infrequent. Moreover these officers often engaged unlawfully in trade and, with or without special leave, acted by deputy in their home ports, taking a major share of the profit merely for signing their accounts. The ill paid deputies acted in a loose, haphazard way, to the loss of His Majesty's revenue and the general encouragement of smuggling.⁴¹

³⁷ *Ibid.*, 81. Cf. Horatio Sharpe to William Sharpe, July 8, 1760 (*Archives*, IX, 436).

³⁸ A list of the Surveyors General may be found in Andrews, *op. cit.*, IV, 198-202. The first such officer was appointed in 1683. Although the Surveyor General's authority to appoint customs officers was denied in Maryland by the President and Council, February, 1693/4 (*Archives*, XX, 41), he later made numerous appointments there.

³⁹ *Calendar of State Papers, Colonial*, 1726-27, art. 507; L. W. Labaree, *Royal Instructions to British Colonial Governors, 1670-1776* (2 v., New York, 1935), I, 384.

⁴⁰ Hoon, *op. cit.*, 64, 210.

⁴¹ On July 13, 1697, Gov. Francis Nicholson recommended to the Board of Trade, "That ye Collectors and Naval Officers places be executed by two distinct persons, so yt they may be a check upon one an other; & yt neither of ym be publick Traders (for more than is absolute necessity for support of their familys) ffor their being great Traders, I think, is one great Reason of illegal Trade; they having the first Refusal of ye Masters or Merchants Cargos, & of their ffreight; first [—?—] of buying the Refuse Cargos, which illegal Traders dare not refuse ym; and I suppose at low prices; which advantage, I fear, doe too often [—?—] with these officers" (Public Record Office, Colonial Office, 5/714, part I, LC). Cf. John Williams to Customs Commissioners at Boston, May 26, 1770 (*Maryland Historical Magazine*, XXVII [1932], 234). In 1698 James Reilly, Deputy Collector of North Potomac, and Richard Savage, Deputy Surveyor and Searcher of Annapolis, were each getting half the principal's salary (Public Record Office, Audit Office, b. 773, r. 907, LC). In 1770 the Collector of Patuxent, whose

We have seen that in 1694, when the office of Surveyor and Comptroller General was abolished, the three Collectorships were retained, with the same fees but with their share of the duty reduced to a fifth.⁴² However, salaries, paid in England, were soon established by a Treasury warrant of November 20, 1696, to begin at Midsummer, or in some cases at Christmas, of the following year. The Collector of Patuxent was to have £80 sterling and those of North Potomac and Pocomoke £60 each. The Collector of Chester and Patapsco, when appointed in 1752, was also given £60 a year.⁴³

Deputy Secretary Edmund Jenings, in 1744, estimated the fees of the Patuxent Collectorship at about £250 currency. These, together with the salary of £80 sterling, would amount, he supposed to £260 sterling a year in time of peace.⁴⁴ Governor Sharpe, in 1759, valued the Collectorship of North Potomac at £150 sterling and that of Pocomoke at £80 or £90. The office of Chester and Patapsco, he wrote, brought in little more than its salary of £60 a year.⁴⁵

The two Riding Surveyors originally appointed, that is, Thomas Collier (in 1695 for the entire Eastern Shore) and Daniel Pearce (in 1695/6 for Bohemia and Sassafras), were at first paid by

customs house was at Annapolis, kept a deputy on Patuxent River and allowed him one quarter of the fees paid there (John Williams to Customs Commissioners at Boston, May, 12, 1770, *Maryland Historical Magazine*, XXVII [1932], 231-32). On leave to act by deputy in the home port see Horatio Sharpe to Philip Sharpe, July 10, 1760 (*Archives*, IX, 446).

⁴² Collectors' fees in Maryland were determined by an act of October, 1694 (chap. 10) and were unchanged down to the end of colonial times. They were identical with the Naval Officers' fees, and, as the law had failed to specify sterling, they had later to be taken in provincial currency. Collectors might also receive "gratuities," under an act of 6 and 7 William III, for services done outside the legal hours of work or for taking extra trouble. After 1695 any customs officer informing against an illegal trader could collect an "emolument," which in Maryland amounted to one third the value of the goods forfeited (Hoon, *op. cit.*, 215, 218; Customs Commissioners to Francis Nicholson, Dec. 19, 1695, *Archives*, XX, 341).

⁴³ The express purpose of the salary was to enable the Collector to keep a boat and hands. *Calendar of Treasury Books*, XI, 313; Public Record Office, Treasury, 11/24, 155-56; Audit Office, b. 773, r. 907 to b. 821, r. 1071, LC; "A List of Officers of the Customs . . . 5th July 1776" (*Maryland Historical Magazine*, XXVII [1932], 239).

⁴⁴ Edmund Jenings to Lord Baltimore, Aug. 28, 1744 (*Archives*, XLII, 670). An anonymous estimate of about the same time values the Patuxent Collectorship at £300 sterling a year (Massachusetts Historical Society, *Collections*, ser. I, vol. VII [1801], 202-03).

⁴⁵ Horatio Sharpe to Cecilius Calvert, July 13, 1759; Horatio Sharpe to William Sharpe, July 8, 1760 (*Archives*, IX, 348, 437).

Receiver George Plater at £ 20 and £ 12 respectively from the fines and forfeitures.⁴⁶ However, in 1697 both were given salaries out of the Treasury. Other Surveyors were now appointed, and Collier was recommissioned Surveyor and Searcher at Oxford. Their salaries in sterling, the entire income of their offices, were as follows: ⁴⁷

Surveyor and Searcher, Annapolis: £ 25 until April 12, 1703, when raised to £ 60 a year.

Surveyor and Searcher, Oxford: £ 35 a year..

Riding Surveyor, Bohemia and Sassafra: £ 50 a year.

Riding Surveyor, Wicomico and Monie: £ 25 until April 18, 1709, when raised to £ 40 a year.

Riding Surveyor, Pocomoke: £ 60 a year.

Each of the four Comptrollers had a salary of £ 50 sterling except the Comptroller of Chester who, because he had so little business, received only £ 40 a year.⁴⁷ Their fees were a third those of any Collector for the same service.⁴⁸ We have no contemporary estimate of their net incomes.

⁴⁶ *Ibid.*, XX, 389-90, 517; XXIII, 522.

⁴⁷ See sources cited in note 43 above.

⁴⁸ They were so established by 5 George III, c. 45 (1765), continued by 10 George III, c. 37 (1770).

CHAPTER X

CONCLUSION

WHAT THEN were these offices worth? We must compute their value, not in terms of revenue alone, but in terms too of their trouble, risk, and tenure. For an incumbent, preferring to diversify his interests, would not, if he could help it, expend all his time, or risk much of his estate, in any single field. Thus an office like the shrievalty, with a high income but held for a limited term and entailing trouble and risk, was less valuable than the county clerkships and naval and customs offices, which though less lucrative were practically tenable for life and could be executed by deputy.

The most profitable offices were the chief executive's place, normally worth well over £ 2000 a year; the Deputy Secretaryship, Commissaryship General, proprietary Agency, and Land Office, with incomes varying in the eighteenth century from £ 300 to £ 700 sterling; the shrievalties, often worth £ 300 a year; the provincial and county clerkships, the Treasurerships, the Naval Offices and Collectorships, earning from less than £ 100 up to £ 250 or £ 300 annually. Smaller incomes rewarded the Attorney General, Currency Commissioners, Surveyors and Examiner General, Rent Roll Keepers, and Surveyors and Comptrollers of Customs. The provincial Armourer, the Clerks of Indictments, Deputy Commissaries, and Deputy Surveyors had as a rule very limited revenues.

In point of trouble and attendance the Commissaryship General, the shrievalty, and the farmerships were least desirable, for each made great demands on the incumbent. The proprietary Agency entailed the keeping of elaborate accounts and a correspondence with all those officers, high and low, who administered Lord Baltimore's revenues. The Rent Roll Keeper, after 1733, had somewhat similar duties, while the Examiner General had to inspect and sign all certificates of survey. Attorney's offices, requiring the prosecution of offenders and certain kinds of debtors, prevented the incumbent's defending criminals. Deputy surveyorships, difficult and fatiguing offices, required careful training,

entailed much tramping about in wild country and, with some exceptions, brought in but small returns. Other offices were however less exacting. The Deputy Secretary exercised merely a general supervision over the chief provincial record office, as did the Land Office Judges over the Land Office. The (land) Surveyorships General and the customs Surveyorships were admittedly sinecures. All other Customs Offices and Naval Offices and the county clerkships could be, and often were, executed by deputy.

Only the shrievalty and the farmer's office entailed much financial risk. The sheriff, as a collector, normally gave many planters credit, paying their obligations and charging interest on the amount. A farmer paid the entire sum of the county quit-rents, minus his discount, expecting then to collect enough to realize a profit. Both officers gambled on their prospect of getting money from a tight fisted people. Officers paid in tobacco fees always gave credit till the tobacco was ready and so lost a bit each year through insolvencies and the hazards of collection. When there was no fee law (1726-47 and 1770-77) these hazards were of course augmented.

The shrievalty was the only place of profit held for a fixed and limited term. Surveyor General John Langford (1642-48) and Principal Secretary Thomas Beake (1714-1732/3) had appointments for life; but all other officials were appointed during pleasure. However, Customs and Naval Officers and county clerks (after about 1694) enjoyed in practice a life tenure. All higher provincial and proprietary officers, except the Governor, normally held office for years and, if removed from one place, were given another of like value. Moreover the longer an incumbent retained his place the more secure became his tenure, for Baltimore feared resentments above all else.

Least secure was the Governor. Although he might count on his salary and perquisites, his position itself was so ticklish that he could scarcely hope to retain it long. Indeed, between the proprietor and the delegates, he rode the horns of a dilemma. Should he too firmly maintain prerogative, he would arouse the Lower House against himself, throw politics into disorder, and so obtain his own dismissal, as did Thomas Bladen. Should he yield to the delegates, he might violate his instructions and so just as effectually forfeit his job. Governor Ogle, in spite of the bitter

politics of his time, retained office through his native tact, for Charles, Lord Baltimore, left him reasonable freedom of action. Horatio Sharpe, though he encountered less opposition, was so handicapped by the meddling of Frederick and Cecilius that it was with difficulty he retained his post for sixteen years.

In sum then, offices of profit were numerous in Maryland, and many of them were valuable. What was the effect of such an arrangement? The answer, though it lies outside the scope of this work, may at least be here suggested. The system made government expensive. It produced envy and political controversy. It drew His Lordship into constantly less effectual efforts to purchase friends and buy off opponents. It provided a handy grievance for the discontented and a ready argument for those who opposed proprietary government. It was a bad system: bad for the people because it cost them money; bad for the proprietary because it taught the people to despise him. It benefitted no one but the members of an inner circle who for several generations were well paid for doing very little.

And yet in a way the system was defensible. They were well paid for doing very little. And so they got their fingers into every pie, put out their money where it would do them good, and built substantial fortunes. Which meant they could also put up fine houses, gather libraries, and improve their leisure. It meant they could handily civilize what had been a wilderness. It meant they could create in Annapolis one of the loveliest and most urbane little cities in His Majesty's dominions. For culturally speaking Maryland reached an early and graceful maturity, which could not so readily have been attained had not a few people been well paid for doing very little.

So, like most schemes of our devising, the system was a bad one and yet a good one: it all depends on values and on the point of view.

CHRONOLOGY

NB: *Those events marked with an asterisk occurred in England; all others occurred in Maryland.*

THE EARLY PROPRIETARY PERIOD.

- *1632, June 20 Charter of Maryland to Cecilius Calvert, second Baron Baltimore and first proprietary.
- *1633, Nov. 13 Instructions, as Governor, to Leonard Calvert, His Lordship's brother.
- *1633, Nov. 20 The *Ark* and the *Dove* sail from Cowes, Isle of Wight.
- 1634, March 25 Gov. Calvert and the first settlers land in Maryland.
- 1634/5, Feb. First Assembly meets at St. Mary's City.
- 1637, Nov. 28 John Lewger arrives with a commission, dated April 15, making Gov. Calvert Chancellor and Lewger Secretary and Receiver General.
- 1637/8, Jan. 24 Secretary Lewger appointed Commissary General.
- 1637/8, Jan. 29 Sheriffs appointed for St. Mary's County and
and Feb. 9 the Isle of Kent.
- 1638/9, March 19 First General Fee Act.
- 1641/2, March 24 Surveyorship General (of land) separated from the Secretariat.
- 1642, Aug. 2 Gov. Calvert's proclamation limiting officers' fees.
- 1644, Sept. 6 Secretary Lewger appointed Attorney General.
- 1647, Sept. The Council acquires its own Clerk.
- 1650, April 6 Assembly divided into two Houses.
- 1651, Aug. 1 Receivership General separated from the Secretariat.
- 1652, March 29 Parliamentary Commissioners take over the government: beginning of the Cromwellian disturbances.

1657, Sept. 28	Attorneyship General separated from the Secretariat.
*1660, Sept. 13	Navigation Act of 1660.
1660, Oct.	Proprietary element regains control of Maryland.
1661, May 2	Proprietary given a tonnage duty of 14 pence sterling.
1661, Sept.	First Deputy Surveyors appointed.
1661, Nov.	Chancellorship separated from office of Governor.
1663, Oct.	Secretary becomes Notary Public.
1671, April 19	Two 12 pence export duties on tobacco; one for support of government, the other for His Lordship's personal use.
*1671, Sept.	Board of Customs Commissioners appointed, to sit at London.
*1673, March 29	Parliament enacts the "Plantation Duty."
1673, April 24	Commissaryship General taken from the Secretariat and united with the Chancellorship.
1673, Spring	Prerogative Office, under the Commissary General, acquires its own Clerk.
*1673, Nov. 27	A Customs Collector for Patuxent District and a Surveyor and Comptroller General of Customs for Maryland appointed.
1675/6, March 4	Gov. Charles Calvert proclaims his succession as third Baron Baltimore and second Proprietary.
1676, June	Three proprietary Naval Offices (for Patuxent, North Potomac, and Pocomoke Districts) separated from the Secretariat.
1676, June 15	Second General Fee Act.
1676, June	Lord Baltimore sails for England.
1678, Oct. 20	Clerk of the Council becomes also Clerk of the Upper House.
1678/9, Jan.	Lord Baltimore returns to Maryland.
1680, April 19	Land Office set up with its own Register.
1683, May	Examiner General appears.

- 1683, May 15 Head-right system terminated; vacant lands now to be granted out on payment of "caution money."
- 1684, May 5 Land Council appointed.
- 1684, May Lord Baltimore removes permanently to England.
- 1686, Nov. 19 Two additional Customs Collectors (for North Potomac and Pocomoke Districts) sworn in.
- 1688, April First Clerks of the Indictments appointed.
- 1689, April 18 Land Office closed as disorders begin.
- 1689, Aug. 1 Deputy Governors surrender to the Committee of Protestant Freemen.

THE ROYAL PERIOD.

- 1689, Aug. 1 Deputy Governors surrender. Custody of the proprietary Great Seal and of the Rent Roll passes to the proprietary Agent and Receiver General.
- 1689, Aug. 22 to Sept. 4 Convention of the Freemen of Maryland.
- 1689, Sept. 4 Three province Naval Officers (for Patuxent, North Potomac, and Pocomoke Districts) appointed by the Convention.
- *1690, Oct. 9 Crown takes over the government of Maryland.
- 1691, April 23 Crown Attorney General appears.
- *1691, June 27 Col. Lionel Copley appointed Governor, Chancellor, and Commissary General.
- *1691, Aug. 26 Governor authorized to grant marriage licenses.
- *1691, Dec. 20 Deputy Auditor of Customs for Maryland appointed.
- *1691/2, Jan. 8 Two crown Receivers appointed.
- 1692, April Gov. Copley arrives in Maryland.
- 1692, June 2 Commissary General authorized to appoint a Deputy in each county.
- 1692, June 4 Third General Fee Act.
- 1692, Oct. 1 New Great Seal arrives; Copley entrusts it to Col. Blakiston as crown Chancellor.

1692, Oct. 14	Secretary Lawrence gets possession of the proprietary Patent Record.
1692, Oct. 17	Copley appoints Chancellor Blakiston Commissary General.
1693, Oct. 4	Commissaryship General separated from the Chancellorship.
1694, May 23	Land Office reopened.
1694, July 28	Admiralty Court acquires its own Register.
1694, Oct. 8	Office of Surveyor and Comptroller General of Customs, for Maryland, discontinued.
1694, Oct. 18	Assembly grants the Governor a three pence tonnage duty.
1694, Oct. 18	Assembly appoints two Public Treasurers.
1694, Oct. 18	Ports of Annapolis and Oxford established by law.
1694, Oct. 18	Governor appoints three more Naval Officers (for Annapolis, Oxford, and Cecil County Districts).
1694-95, Winter	Government moved from St. Mary's City to Annapolis.
1695, May 14	Chancery Court acquires its own Register.
*1695, Aug. 22 to 1697/8, Jan. 12	Two Customs Surveyors and Searchers and three Riding Surveyors appointed.
*1695, Dec. 30	Proprietary Receiver Darnall given powers of the former Land Council.
1696, Oct. 12	Governor promulgates the crown order of Feb. 13, 1695/6, dividing the land fees between the crown Secretary and Chancellor on the one hand and the proprietary Receiver General and Register of the Land Office on the other hand.
1697, Dec. 7	Surveyorship General (of land) divided between two Shores.
1699, —————	Proprietary Rent Roll destroyed by vandals.
1699, July 6	Governor resumes Chancellorship.
1699, July 22	Fourth General Fee Act.
1699, Aug. 1	Lease of quit-rents and alienation fines begins.
1704, Dec. 8	Fifth General Fee Act.

- 1705/6, Jan. Secretariat divided between a Principal, in England, and a Deputy, in Maryland.
- 1707, July 16 High Court of Appeals acquires its own Clerk.
- 1707, Aug. 1 Above lease expires; separate Rent Roll Keeper now appointed.
- *1714/5, Feb. 21 Benedict Leonard Calvert succeeds as fourth Baron Baltimore and third Proprietary.
- *1715, April 16 Charles Calvert succeeds as fifth Baron Baltimore and fourth Proprietary.
- *1715, May Government of Maryland restored to Lord Baltimore.
- 1715, Oct. Crown Receiverships discontinued.
- 1715, Dec. 27 Baltimore's restoration proclaimed in Maryland.

THE SECOND PROPRIETARY PERIOD.

- 1715, Dec. 27 Restoration proclaimed; Gov. Hart, as Chancellor, obtains the proprietary Great Seal from Receiver General Carroll.
- 1716, May 1 Former crown Attorney General sworn proprietary Attorney General.
- 1716, Aug 10 Equivalent Act: Baltimore given a port duty in exchange for his quit-rents and alienation fines.
- 1716/7, Jan. 11 Governor acquires one of the (land) Surveyorships General.
- 1716/7, Jan. 11 Proprietary Naval Offices discontinued.
- 1717, June 13 Secretary assumes title of Judge of the Land Office.
- 1719, June 6 Sixth General Fee Act.
- 1719/20, Feb. 27 Governor relinquishes Chancellorship.
- 1723, Oct. 26 Assize Courts for each shore, with Clerks, established by Act of Assembly.
- 1725, July 12 Governor resumes Chancellorship.
- 1725/6, March 23 Seventh General Fee Act (disallowed in 1726).
- 1732, Dec. Charles, Lord Baltimore, arrives in Maryland.
- 1733, April 12 Paper Currency Act.

1733, April 14	Lord Baltimore's Fee Proclamation.
1733, June 18	Rent Roll Keeper's office divided between two Shores.
1733, July	Lord Baltimore sails for England.
1733, Sept. 29	Equivalent Act expires.
1738, Dec. 16	Judgeship of the Land Office separated from the Secretariat.
1746, May 17	Judgeship of the Land Office divided between two incumbents.
1747, July 11	First Tobacco Inspection and Fee Act.
*1751, April 24	Frederick Calvert succeeds as sixth Baron Baltimore and fifth Proprietary.
*1751, Dec. 20	Saddles imposed in behalf of Cecilius Calvert, Principal Secretary.
*1752, May 12	Customs Collectorship of Chester and Paptasco established.
1753, Aug. 10	Capt. Horatio Sharpe sworn Governor.
1753, Nov. 17	Second Tobacco Inspection and Fee Act.
1763, Nov. 26	Third Tobacco Inspection and Fee Act.
*1764, July 27, to 1766, May 30	Four Customs Comptrollers appointed.
1766, Dec. 6	Paper Currency Act.
*1767, Sept. 8	American Board of Customs Commissioners appointed, to sit at Boston.
1768, April 5	Proprietary Board of Revenue organized.
1769, June 5	Capt. Robert Eden, last colonial Governor, arrives in Maryland.
1770, Oct. 22	Tobacco Inspection and Fee Act expires.
1770, Nov. 24 and 26	Governor Eden's Fee Proclamations.
*1771, Sept. 4	Henry Harford succeeds as sixth and last Proprietary.
1774, April 19	Last colonial Assembly prorogued.
1774, June 22	First Provincial Convention meets at Annapolis.
1775, Aug. 14	Convention appoints new Public Treasurers.
1775, Aug. 29	Council of Safety organized.
1776, June 24	Governor Eden sails for home.

AFTERWARD.

- | | |
|----------------|---|
| 1776, July 4 | Maryland becomes a sovereign state. |
| 1776, Aug. 14 | Constitutional Convention assembles. |
| 1776, Nov. 11 | Constitution adopted by the Convention. |
| 1777, Feb. 5 | General Assembly meets. |
| 1777, March 21 | Governor inaugurated; Council of Safety disbands. |
| 1777, April | State officers appointed. |
| 1777, April 20 | Prerogative Office abolished. |
| 1780, May 16 | Quit-rents abolished as of July 4, 1776. |
| 1781, Feb. 2 | Property of Loyalists and British Subjects confiscated. |
| 1782, Jan. 22 | Treasurer of the Western Shore assigned land duties of former Agent and Receiver General; Chancellor made Judge of the Land Office; Governor authorized to appoint an Examiner General. |

CIVIL LIST

This appendix supplements but does not supersede Henry Hollyday Goldsborough's manuscript "List of Civil Officers of Maryland" [1637-1891] at the Maryland Historical Society. Although Goldsborough presents a nearly complete series of incumbents in the non-lucrative offices, he gives little information about the places of profit and in fact omits some of them entirely.

The present list includes all lucrative offices except the following: those which were in existence for only a brief period (all treated in the text), the Master Gunner and Armourer (see Chapter V, note 50), Sheriffs, Proprietary Naval Officers, Farmers of Quit-Rents, Deputy Commissaries, and Deputy Surveyors. A list of the Sheriffs, to 1694, may be compiled from the published Council records in the *Archives of Maryland*, and a similar list, from 1727 may be extracted from Commission Book No. 80, at the Hall of Records. For the intervening period it would be necessary to consult the county records. The other officers here omitted were of little value.

Throughout this list the county of residence, except for Governors, and the religion (Catholic or Protestant) of each office holder are indicated. The names of men related, by blood or by marriage, to any member of the Lord Proprietary's immediate family are marked with an asterisk. To save space I have omitted nearly all source references. These may be had, if desired, from a manuscript copy of this list now deposited with the Maryland Historical Society.

THE LORDS PROPRIETARY

The following data are included for ease in immediate reference. For genealogical details the reader may consult J. B. C. Nicklin, "The Calvert Family," *Maryland Historical Magazine*, XVI (1921), 50 *et seq.* This is a good general treatment which is, however, neither definitive nor entirely without error. It should be supplemented by use of the "Baltimore" article in Gibbs's *Complete Peerage*, which provides fuller and more exact information on the successive Lords Baltimore, and of Mrs. Russel Hastings's "Calvert and Darnall Gleanings from English Wills,"

Maryland Historical Magazine, XXI (1926), 303-24, XXII (1927), 1 *et seq.* The latter gives a more complete and accurate account of the innumerable Calvert relatives and connections. Descent of the title was in each case from father to son.

According to a MS history of Maryland, in the British Museum, written by one John Scott in 1670, during the life-time of the first proprietary, "the now Lord Baltimore . . . was christened [in the Anglican church] by the name of Cecill, but was afterwards confirmed [in the Catholic church] by the name of Caecillius" (Sloan Collection, XXG #3662, Ayscough Catalogue, 3662 #2; transcripts at LC and among the Chalmers Papers at NYPL). It is supposed that "Cecil" was a compliment to his father's patron, the later Earl of Salisbury, and that "Cecilius" was a reference to St. Cecilia, on whose name day the *Ark* and the *Dove* were to set forth from Cowes.

1. CECILIUS CALVERT, 2nd Baron Baltimore of Baltimore in the Kingdom of Ireland and, by royal letters patent of 20 June 1632, first Absolute Lord and Proprietary of the Province of Maryland; b. 8 Aug. 1605, son of Sir George Calvert, 1st Baron Baltimore; d. 30 Nov. 1675. He never visited his province but resided chiefly at his house in Wilde Street, near London, and at Hook House, near Wardour Castle, Wiltshire.

2. CHARLES CALVERT, 3rd Baron Baltimore and 2nd Proprietary, b. 27 Aug. 1637, d. 21 Feb. 1714/5; assumed office as Lt. Gen. of Maryland in Nov., 1661; proclaimed his succession 4 March 1675/6; removed permanently to England in May, 1684; deprived of political control of the province in October, 1690. By will of a kinswoman he inherited in 1692 the estate of Woodcote Park, at Epsom, Surrey, which was thereafter the principal seat of the Barons Baltimore. Of His Lordship's four wives we need mention only the first two, who had relatives in Maryland. He married first, in 1656, Mary, daughter of Ralph Darnall of Loughton, Herefordshire; and secondly, in 1666, Jane, daughter of Vincent Lowe of Denby, Derbyshire, and widow of Col. Henry Sewall, Secretary of Maryland, by whom alone he had issue, and who died 19 Jan. 1700/1.

3. BENEDICT LEONARD CALVERT, 4th Baron Baltimore and 3rd Proprietary, b. 21 March 1678/9, d. 16 April 1715. In November, 1713, he "publicly renounced the Romish errors," whereupon his father took from him an allowance of £450 a year. Queen Anne,

however, granted him a pension of £300 and, at his request, appointed Capt. John Hart Governor of Maryland. Hart in turn agreed to pay him £500 a year out of the profits of this office. On succeeding to the title Calvert at once petitioned the crown for restitution of the government in Maryland, but he died before the transfer could be arranged.

4. CHARLES CALVERT, 5th Baron Baltimore and 4th Proprietary, b. 29 Sept. 1699, d. 24 April 1751; restored to political control of Maryland in May, 1715; proclaimed there, 27 Dec. 1715. As guardian he chose Francis North, 2nd Baron Guilford, a Jacobite of debauched habits, whose example corrupted Baltimore's character. Yet His Lordship, after attaining his majority, proved himself a careful and a fairly successful administrator. By will he devised all of Maryland to his only legitimate son, Frederick, with reversion, should Frederick die without lawful issue, to his elder daughter Louisa in fee, subject to a charge of £20,000 in favor of his younger daughter Caroline. In 1762 the Hon. Louisa Calvert married John Browning of Horton Lodge, Epsom (who died 13 May 1792). By him she had a son and heir, Charles Browning, Esq., of whom more anon.

5. FREDERICK CALVERT, 6th and last Baron Baltimore and 5th Proprietary, b. 6 Feb. 1731/2, d. at Naples, 4 Sept. 1771; as guardians he chose Arthur Onslow, Speaker of the House of Commons, and John Sharpe, Esq. However, he was chiefly guided until 1765 by his uncle, the Hon. Cecilius Calvert, his Principal Secretary, and thereafter by Hugh Hamersley, Esq., Calvert's successor. Frivolous, conceited, and dissipated, but sometimes generous and sympathetic, the last Baltimore gave himself up to a life of pleasure, took little part in the government of his province, and preferred the Continent to England. He sold Woodcote Park and his other estates in Great Britain but determined, despite his father's will, to leave Maryland to a natural son, one Henry Harford. Twice, in 1761 and 1767, he endeavored to dock the entail on his province. He then by will devised it all to Harford, subject to the payment of £20,000 to be divided between his (Baltimore's) sisters, Louisa Browning and Caroline Eden, should they consent to the will.

6. HENRY HARFORD, Esq., 6th and last Proprietary, b. ——— 1760, d. Dec., 1835; chose for guardians Dr. John Moore, Dean

of Canterbury, Hugh Hamersley, the Principal Secretary, and his own step-father, Peter Prevost, Esq. He married and had issue, but, with the death of its present representative, Maj. Frederick Reginald Harford of Broadfield, Beaconsfield, Bucks, his family will become extinct in the male line. He enjoyed the revenues of Maryland only two or three years before the outbreak of hostilities ended his income. In 1780 Maryland abolished quit-rents (as of July 4, 1776) and in 1781 confiscated the property of British subjects. At the close of the war Harford applied to the British government for compensation, valuing his losses at £447,000. He settled however for a grant of £90,000 out of which sum he paid £10,000 each, pursuant to his father's will, to his uncle John Browning and his aunt Caroline Eden. In 1805 he obtained an additional £10,000 from the Maryland bank stock in London. Meantime the Browning family had pressed their claim under the will of Charles, fifth Lord Baltimore. On the death of Frederick Calvert, John Browning had at once entered suit in chancery to vindicate his wife's title to the province. This legal action was thrown out of court when the colonies declared their independence, and Browning, as we have seen, later accepted from Harford, in his wife's behalf, £10,000 in full discharge of the family claim. This act rendered fruitless his son Charles Browning's effort to obtain compensation from the State of Maryland in and after 1820.

THE CENTRAL GOVERNING BODY

1 a. CHIEF EXECUTIVE OFFICER.

From 1637 until the close of the first proprietary period (1689) this officer was commissioned "Lieutenant General, Admiral, Chief Captain and Commander" and was usually called the "Lieutenant General." Until 1661 he was also by commission "Chancellor, Chief Justice, and Chief Magistrate." During the later proprietary period (1715-76) the chief executive was regularly commissioned "Lieutenant and Chief Governor, Chancellor, Admiral, Captain General and Commander" and was generally called the "Lieutenant Governor." Under royal administration (1690-1715) his style was "Captain General and Governor in Chief, Chancellor, and Vice Admiral," and he was commonly designated simply as the "Governor."

1. *Hon. LEONARD CALVERT (Cath. convert, Baltimore's brother). Commissioned — 1633 and instructed as "Deputy Governor," 13 Nov. 1633; arrived in Maryland, with the first party of colonists, 25 March 1634; recommissioned as "Lieutenant General, Admiral, Chief Captain and Commander, Chancellor, Chief Justice, and Chief Magistrate," 15 April 1637, and again under the same titles, 4 Sept. 1642. Returned to England in the spring of 1643.

2. Capt. GILES BRENT (Cath.), com. by Leonard Calvert, 11 April 1643; His Lordship ratified this commission 14 July and extended its powers 18 Nov. of the same year. Superseded by Calvert.

3. *Hon. LEONARD CALVERT, com. by Lord Baltimore, 6 Sept. 1644; arrived in the province sometime thereafter. In Feb., 1644/5, Capt. Richard Ingle, master of the ship *Reformation* of London, seized the government and pillaged the province by way of evincing his zeal for the cause of Parliament at home. Calvert fled to Virginia, and a period of anarchy ensued.

4. Capt. EDWARD HILL (Prot.), appointed by Calvert in Virginia, 30 July 1646; as Hill was not a Councillor this appointment was illegal.

5. *Hon. LEONARD CALVERT restored in fall of 1646; died in office, 11 June 1647, naming his successor by word of mouth.

6. THOMAS GREENE (Cath.), appointed by Calvert, 9 June 1647, but never commissioned by the Lord Proprietary. Superseded by Stone.

7. Capt. WILLIAM STONE (Prot.), com. by Lord Baltimore, 6 Aug. 1648; took office prior to 26 April 1649. Now that Parliament was gaining the upper hand in England, Baltimore felt it prudent to install a Protestant at the head of his government. Capt. Stone engaged to bring into the province 500 settlers and at once obtained the immigration of a large number of Puritans from Virginia. He was then unable to control them.

8. RICHARD BENNETT (one of the Puritans), EDMUND CURTIS, and Col. WILLIAM CLAIBORNE (Prots.), Commissioners of Parliament, appointed to reduce all the plantations within Chesapeake Bay, took possession of the government, 29 March 1652.

9. Capt. WILLIAM STONE, restored by the Commissioners, 28 June 1652, on condition that he issue all writs in the name of the Keepers of the Liberties of England. On 2 March 1653/4 he declared that writs would again issue in His Lordship's name, and shortly after 16 July 1654 the Commissioners again deposed him. Stone died in Dec., 1660.

10. Capt. WILLIAM FULLER, RICHARD PRESTON, WILLIAM DURAND, EDWARD LLOYD, JOHN HATCH, and others (Prots. and chiefly Puritans), appointed to administer the government by the Parliamentary Commissioners, 22 July 1654; carried on till 24 March 1657/8.

11. Capt. JOSIAS FENDALL (Prot., son-in-law of Hatch above), com. by Baltimore, 10 July 1656; received submission of Fuller and the other Puritans, 24 March 1657/8. In March, 1659/60, with the complicity of Councillor Thomas Gerrard (Cath.) and of the Lower House of Assembly, led by Fuller and Hatch, he denounced the proprietary government and accepted a new commission from the Lower House. He and his associates were, however, obliged to surrender to proprietary forces the following October. Fendall and Gerrard were then banished and their estates were confiscated, but they were pardoned. Fendall died about 1687, too early to participate in the later rebellion of his friend Capt. Coode.

12. *Hon. PHILIP CALVERT (Cath., Baltimore's half brother), com. 24 June 1660; obtained the government in October; sworn 11 Dec. 1660; continued as Chancellor and appointed "Deputy Lieutenant," 14 Sept. 1661.

13. *Hon. CHARLES CALVERT (Cath., Baltimore's son and heir), com. Lieutenant General but not Chancellor, 14 Sept. 1661; in office before the end of November; proclaimed his succession as third Baron Baltimore and second Proprietary, 4 March 1675/6; returned to England in June.

14. *Hon. CECILIUS CALVERT (Cath., His Lordship's infant son and heir), com. as nominal Lieutenant General, 16 June 1676. Actual administration devolved upon the "Deputy Lieutenant and Deputy Governor" *Col. JESSE WHARTON (Cath., Lady Baltimore's son-in-law), who at his death, in July, 1676, appointed THOMAS NOTLEY his successor. Cecilius Calvert died in 1681.

15. THOMAS NOTLEY (Cath.), com. 14 Oct. 1676; died in

office in April, 1679. Notley, an indifferent Catholic, before his death became an indifferent Protestant.

16. *Rt. Hon. CHARLES CALVERT, LORD BALTIMORE (Cath.), arrived in the province prior to 8 Jan. 1678/9; governed in person from April, 1679, until May, 1684. He then returned to England to defend his territorial rights against William Penn and the Duke of York.

17. *Hon. BENEDICT LEONARD CALVERT (Cath., Baltimore's infant son and heir), left as nominal Lt. General by com. of 1 May 1684. Executive power devolved upon a "Board of Deputy Governors" established by the same instrument, viz: *Col. GEORGE TALBOT, President (Cath.), Col. Thomas Taillor (Prot.), *Col. Vincent Lowe (Cath.), *Col. Henry Darnall I (Cath.), *Col. William Digges (Prot., wife Cath., a niece of Col. V. Lowe), Col. William Stevens (Prot.), Col. William Burgess (Prot., Sewall's father-in-law), *Maj. Nicholas Sewall (Cath., nephew of Lowe and brother-in-law of Digges), and *John Darnall (Cath., brother of Col. Henry Darnall). John Darnall died 14 Dec. 1684 and Col. Stevens in March, 1687/8; they were succeeded at the Board by Clement Hill, Sr. (Cath., Col. H. Darnall's brother-in-law), appointed 21 Sept. 1685 and *Col. Edward Pye (Cath., nephew of Lowe and brother-in-law of Sewall and Digges), appointed 23 July 1688. Meanwhile, on 31 Oct. 1684, Col. Talbot had murdered Collector Christopher Rousby. He then fled the province, and the presidency devolved upon Col. THOMAS TAILLOR. Taillor was in turn succeeded, on 3 Oct. 1688, by one WILLIAM JOSEPH of London (Cath.), appointed by His Lordship's commission of 23 July of that year. Joseph and the Board surrendered to the Protestant Associators, 1 Aug. 1689.

18. Capt. JOHN COODE (Prot. convert, former wife Cath., dau. of Thomas Gerrard above), Col. HENRY JOWLES, KENELM CHESELDYNE, and others, styling themselves the Committee of the Protestant Freemen, seized the government, 1 Aug. 1689. Jowles and Cheseldyne were in some way related. The assembly of May, 1692, voted the former 20,000 lb. and the latter 100,000 lb. of tobacco but did nothing for the, by then, discredited Coode.

19. CONVENTION OF THE FREEMEN OF MARYLAND, 22 Aug. to 4 Sept. 1689. Passed "An Ordinance for regulating of Officers Military and Civil and other necessary affairs for the present settlement of this Province."

20. Capt. JOHN COODE carried on the government, after the Convention dissolved, under the style of "Commander in Chief."

21. PROVINCIAL CONVENTION, April, 1690.

22. Capt. JOHN COODE and a committee of two from each county, appointed by the Convention, administered government until Coode left for England, to prefer charges against Lord Baltimore, in August, 1690. After his return from this mission Coode, an habitual malcontent, was not again allowed to play any part in Maryland affairs. He died obscurely in March, 1708/9.

23. Col. NEHEMIAH BLAKISTON (Prot., wife Cath., dau. of Thomas Gerrard and sister of the former Mrs. Coode), appointed by Coode to succeed him in August, 1690; superseded by Copley.

24. Col. LIONEL COPLEY (Prot.), com. by William and Mary, 27 June 1691, as Captain General and Governor in Chief, Chancellor, and Vice Admiral; arrived shortly before 6 April 1692; died in office 9 Sept. 1693. On 1 Oct. 1692 he received from England the new Great Seal of Maryland, which he then entrusted to Col. Nehemiah Blakiston as Chancellor. Copley had obtained the favor of King William by securing for him the port of Hull on William's entrance into England. He has commonly been confused with his own elder son, Sir Lionel Copley of Sprotborough, Baronet.

25. Sir THOMAS LAWRENCE, Bart. (Prot.), succeeded as President of the Council, 22 Sept. 1693. Superseded by Andros.

26. Sir EDMUND ANDROS, Knt. (Prot.), Governor of Virginia, took possession of the Maryland government on 25 Sept. 1693 under a commission dated 3 March 1691/2. On 15 Feb. 1693/4 he appointed Col. Nicholas Greenberry Chancellor to succeed Blakiston, deceased. He soon returned to Virginia.

27. Col. NICHOLAS GREENBERRY (Prot.), left in charge as President of the Council by Andros; superseded by Lawrence.

28. Sir THOMAS LAWRENCE, Bart., reinstated as President, 7 May 1694; superseded by Nicholson.

29. Col. FRANCIS NICHOLSON (Prot.), com. 10 Feb. 1693/4; assumed office 26 July 1694. On 30 July he appointed Col. Henry Jowles Chancellor to succeed Greenberry. In the winter of 1694-95 the seat of government was moved from St. Mary's City to

Annapolis. Nicholson was appointed Governor of Virginia in 1698.

30. Col. NATHANIEL BLAKISTON (Prot., nephew of Col. Nehemiah Blakiston above), com. 19 Oct. 1698; assumed office 2 Jan. 1698/9; took the Great Seal from Col. Jowles, 6 July 1699; left for England, 30 June 1702. He was the Maryland Agent in London, 1702-09 and 1713-21.

31. THOMAS TENCH (Port.), left in charge as President of the Council; superseded by Seymour.

32. Col. JOHN SEYMOUR (Prot.), com. 12 Feb. 1702/3; assumed office 12 April 1704; died in office, 30 July 1709.

33. Maj. Gen. EDWARD LLOYD (Prot., mother Cath., grandson of Edward Lloyd above, No. 10), succeeded as President of the Council on Seymour's death; superseded by Hart.

34. Capt. JOHN HART (Prot.), com. by crown, at request of the Hon. Benedict Leonard Calvert, 17 Jan. 1713/4; arrived 29 May 1714; com. by His Lordship, 30 May 1715. He proclaimed restoration of the Proprietary on 27 Dec. 1715 and at the same time, as Chancellor, took the proprietary Great Seal from Receiver General Charles Carroll. On 11 Jan. 1716/7 he acquired the Surveyorship General of the Eastern Shore. On 27 Feb. 1719/20, shortly before his departure, he appointed Col. William Holland to the Chancellorship. He left for home in May, 1720.

35. Col. THOMAS BROOKE II (Prot. convert, 3 of his brothers Jesuits), President of the Council and acting Surveyor General of the Eastern Shore; never assumed the Chancellorship. Superseded by Calvert.

36. *Capt. CHARLES CALVERT (Prot., Baltimore's cousin), com. in Feb., 1719/20; presided over Assembly in October, 1720. On 6 Nov. 1721 he appointed Chancellor, to succeed Holland, Col. Richard Tilghman II (nephew of Maj. Gen. Lloyd above), but on 12 July 1725 he took the Great Seal again in order, as he said, the better to provide for his family. The office of Chancellor was thereafter always held by the chief executive. In June, 1726, Capt. Calvert further provided for his family by exchanging his Eastern Shore Surveyorship for the more lucrative Surveyorship General of the Western Shore; this office he retained until his death, 2 Feb. 1733/4.

37. *Hon. BENEDICT LEONARD CALVERT (Prot. convert;

mother Cath. convert; His Lordship's brother), com. 14 March 1726/7; sworn 3 July 1727; succeeded by Ogle; left for England in the spring of 1732 and died at sea, 1 June of that year. He was Chancellor but did not assume either of the Surveyorships.

38. Col. SAMUEL OGLE (Prot.), com. 16 Sept. and sworn 7 Dec. 1731; superseded by the Proprietary. He was a friend of the Groves, intimates of the proprietary family.

39. *Rt. Hon. CHARLES CALVERT, LORD BALTIMORE (Prot. convert; mother Cath. convert), present in Council, 11 Dec. 1732; left for England in July, 1733.

40. Col. SAMUEL OGLE, com. 20 June and sworn 11 July 1733. On the death of Capt. Charles Calvert, 2 Feb. 1733/4, he assumed the Surveyorship General of the Western Shore. Dismissed to provide for His Lordship's brother-in-law.

41. *Col. THOMAS BLADEN (Prot., mother Cath.; uncle of Mrs. Samuel Ogle; he m. Lady Baltimore's sister), com. 19 April and sworn 23 Aug. 1742. Until 13 Dec. 1746 he was Surveyor General of the Western Shore. The only native of Maryland ever to attain the Lieutenant Governorship, Bladen in office proved so tactless and quarrelsome that he had to be dismissed; thereafter he resided in England and represented Old Sarum in the House of Commons. He died in 1780.

42. Col. SAMUEL OGLE, com. 3 Oct. 1746 and sworn 16 March 1746/7; died in office, 3 May 1752. He assumed the Western Shore Surveyorship, 14 Dec. 1748.

43. BENJAMIN TASKER, SR. (Prot., wife's mother Cath.; he was father of Mrs. Samuel Ogle and m. Lt. Gov. Bladen's sister), succeeded as President of the Council and as acting Chancellor and Surveyor General of the Western Shore. Superseded by Sharpe.

44. Capt. HORATIO SHARPE (Prot., brother of John Sharpe, one of Lord Baltimore's guardians), com. 17 March and sworn 10 Aug. 1753. He was Surveyor General of the Western Shore until 28 Nov. 1768, but until December, 1760, he allowed the profits of this office to John Ridout, his private secretary. Dismissed, ostensibly to provide for Capt. Eden, Sharpe retired to his estate near Annapolis and there resided until family affairs called him to

England in 1773. A special clause exempted his Maryland property from the effects of the confiscation act of 1781. He died at Hampstead, near London, 9 Nov. 1790.

45. *Capt. ROBERT EDEN (Prot., m. Baltimore's sister), com. 1 Aug. 1768; arrived 5 June 1769. He assumed the Surveyorship General of the Western Shore late in 1771 and retained it until his first return home. Left the province to go to England, 28 May 1774.

46. RICHARD LEE (Prot.), was left in charge as President of the Council during Eden's absence.

47. *Capt. ROBERT EDEN resumed the government of Maryland, 8 Nov. 1774. Sailed for home, aboard H.M.S. *Fowey*, 24 June 1776. In England he was created a baronet. After the Revolution Sir Robert returned to Annapolis where he died, 2 Sept. 1784. Thomas Johnson, the first state Governor, was inaugurated on 21 March 1777.

1 b. CHANCELLOR OR KEEPER OF THE GREAT SEAL.

Except from November, 1661, to July, 1699, and from February, 1719/20, to July, 1725, the Chancellorship was always held by the chief executive. The Constitution of 1776 separated these offices. Under royal government there were two Great Seals and consequently two Keepers, but the Keeper of the crown seal was Chancellor. The office of Commissary General was in April, 1673, separated from that of Secretary and united with the Chancellorship; but in October, 1693, it was taken from the Chancellor and set up as a separate office.

1. *Hon. PHILLIP CALVERT of St. Mary's City (Cath., Lord Baltimore's half-brother), who was appointed Lieutenant General, 24 June 1660, was by commission of 14 Sept. 1661 created "Deputy Lieutenant" and continued as Chancellor; he yielded the Lieutenantcy General to his successor, the Hon. Charles Calvert, in November, 1661. He was appointed Commissary General, 20 Nov. 1672 and sworn 24 April 1673; by commissions of 5 April 1676 and 17 June 1676 he was continued in the offices of Chancellor and Commissary General until his death in 1682.

2. *Col. HENRY DARNALL I of Prince George's County (Cath.) and *Col WILLIAM DIGGES of St. Mary's County (Prot., wife Cath.), com. and sworn joint Chancellors and joint Com-

missaries, 26 Jan. 1682/3. Digges was dropped from both offices on 28 Nov. 1685. CLEMENT HILL, SR., of St. Mary's County (Cath., Darnall's brother-in-law) succeeded Digges as joint Commissary under a commission of 20 Aug. 1685. Darnall, by commissions of 20 August and 9 September, was continued joint Commissary and sole Chancellor.

[With the surrender of the proprietary government, on 1 August 1689, these offices fell into abeyance; Darnall and Hill ceased to act as Commissaries; and His Lordship's Great Seal ceased to be used except in land affairs. Darnall retained the proprietary seal until his death, 17 June 1711, when his son-in-law *CHARLES CARROLL of Anne Arundel County (Cath.) succeeded him as Agent, Receiver General, and Keeper of His Lordship's Great Seal. On 27 Dec. 1715, with restoration of proprietary rule, this seal again became the Great Seal of the province. Carroll then surrendered it to Lt. Gov. Hart who was, by his commission, Chancellor].

3. Col. NEHEMIAH BLAKISTON of St. Mary's County (Prot., wife Cath.), was given custody of the new Great Seal (bearing the royal arms) on or shortly after 1 Oct. 1692, when Gov. Copley received it from England. On 17 Oct. 1692 the Governor appointed him Commissary General. Suspended from the Council and dismissed from office, 2 Oct. 1693, he died the following December. On 3 Oct. 1693 the office of Commissary General was separated from the Chancellorship by a commission to Kenelm Cheseldyne of St. Mary's City.

4. Col. NICHOLAS GREENBERRY of Anne Arundel County (Prot.), appointed by acting Gov. Andros, 15 Feb. 1693/4. Superseded by Jowles.

5. Col. HENRY JOWLES of Calvert County (Prot.), appointed by Gov. Nicholson, 30 July 1694. On 17 Oct. his kinsman KENELM CHESELDYNE of St. Mary's City (Prot.) and Maj. EDWARD DORSEY of Anne Arundel County (Prot.) were appointed his "Commissioners in Chancery," and all three were recommissioned, 14 May 1695. Because of Jowles's prolonged illness Col. NICHOLAS GREENBERRY was joined with the other two commissioners, for the more rapid dispatch of business, 6 March 1695/6, and Col. JOHN ADDISON of Prince George's County (Prot.) was added to their number on 12 Dec. 1696. Maj. Dorsey kept the seal

during Jowles's absence from Annapolis, 6 Dec. 1695 to 16 May 1696. Col. Jowles was recommissioned by Gov. Blakiston when he assumed office, 2 Jan. 1698/9, but he was deprived of the seal in July, and he died prior to Feb. 1700/1.

{Gov. Blakiston, instructed to keep the Great Seal, took it from Col. Jowles on 6 July 1699. It was then retained by the chief executive until 27 Feb. 1719/20}.

6. Col. WILLIAM HOLLAND of Anne Arundel County (Prot.), was appointed by Lt. Gov. Hart to keep the Great Seal, 27 Feb. 1719/20, not long before Hart's departure for England. He was superseded by Tilghman.

7. Col. RICHARD TILGHMAN II of Queen Anne's County (Prot., wife's mother Cath.), com. by Lt. Gov. Charles Calvert, 6 Nov. 1721 and sworn the same day. Calvert resumed custody of the seal on 12 July 1725. It was then retained by the chief executive until the Revolution. Richard Sprigg of Dorchester County was sworn state Chancellor, 21 April 1777.

2 a. PRINCIPAL SECRETARY.

With this place were originally united several other offices, which from time to time were taken from the Secretary and set up as independent places of profit. Until 1705/6, except for two brief intervals (1671-73 and 1694-96), the Principal Secretary resided in Maryland; and Lord Baltimore, when in England, kept a private clerk. After 1705/6 the Principal Secretary lived in England, so that from this date on there was a Deputy Secretary in Maryland. The Constitution of 1776 made no provision for either office.

1. JOHN LEWGER of St. Mary's City (Cath. convert) arrived in Maryland 28 Nov. 1637; com. by His Lordship as "Secretary" and as "Collector and Receiver," 15 April 1637; as "Commissioner in Causes Testamentary," 24 Jan. 1637/8; as Secretary, Judge in Causes Testamentary, and Collector and Receiver of His Lordship's Revenue, 5 Sept. 1642; as Secretary, Judge in Causes Testamentary, Attorney General, and Keeper of the Lesser Seal, 6 Sept. 1644. Until 24 March 1641/2 he acted as Surveyor General. On 26 Aug. 1644 Lewger was suspended from office by Lt. Gen. Brent; but he was restored on the arrival of Leonard Calvert, with a new commission for him, late in the same year.

He went to England in 1645 and took orders as a priest, returned to Maryland in the fall of 1647, but removed permanently to England about October, 1648. Thereafter, as Baltimore's chaplain, Father Lewger resided at His Lordship's house in Wilde Street, near London. He died while ministering to victims of the Plague in 1665.

2. THOMAS HATTON of St. Mary's County (Prot.), com. by Lord Baltimore as Secretary and Judge of Probate, 12 Aug. 1648; called "Attorney General," 8 Jan. 1650/1; was at that date also acting as Receiver General. By commission of 1 August 1651 Lt. Gen. Stone separated the office of Receiver General from that of Secretary by conferring it on Job Chandler of Charles County. Secretary Hatton and Lt. Gen. Stone were deprived of office by the Parliamentary Commissioners shortly after 16 July 1654. Hatton was slain at the battle of the Severn on 25 March of the following year.

3. WILLIAM DURAND of Anne Arundel County (Prot.), appointed by Commissioners Bennett and Claiborne, 22 July 1654; he was one of those Puritans who surrendered the government to Capt. Fendall on 24 March 1657/8.

4. *Hon. PHILIP CALVERT of St. Mary's City (Cath., Lord Baltimore's half brother), com. Principal Secretary and Judge of Probate, 7 Nov. 1656. On the death of Job Chandler in April, 1659, he succeeded to the office of "Treasurer and Receiver General." The office of Attorney General was separated from that of Secretary by the appointment, on 28 Sept. 1657, of Lt. Richard Smith, Sr. of Calvert County.

5. Col. HENRY COURSEY of Kent County (Prot.), appointed by Lt. Gen. Philip Calvert to succeed him as Secretary shortly before 29 Nov. 1660; was doubtless also Judge of Probate. At the same time Charles Calvert became Receiver General. Superseded by Col. Sewall.

6. *Col. HENRY SEWALL of St. Mary's County (Cath.), com. by Lord Baltimore as Principal Secretary and Judge of Probate, 20 Aug. and sworn 20 Nov. 1661. After his death in office, April, 1665, Col. Sewall's widow, who was a cousin of Mrs. Philip Calvert, married the Hon. Charles Calvert, later third Lord Baltimore.

7. *Hon. CHARLES CALVERT of St. Mary's City (Cath., Lord

Baltimore's son and heir), the Lieutenant General; acted in the interval between Sewall's death and the swearing in of Boughton a year later.

8. RICHARD BOUGHTON of Charles County (Prot.), com. Secretary by His Lordship, 16 Feb. 1665/6 and sworn 17 May 1666; was probably also Judge of Probate; resigned to be Clerk of Charles County, 23 Dec. 1667.

9. *Hon. CHARLES CALVERT, the Lieutenant General; took to himself, on Boughton's resignation, the offices of Secretary and Judge of Probate.

10. *Col. WILLIAM CALVERT of St. Mary's City (Cath., son of former Lt. Gen. Leonard Calvert), appointed Secretary and Judge of Probate, 27 May 1669; last appears on 6 Sept. 1670.

11. *WILLIAM TALBOT of St. Mary's City and of Cartown, County Kildare (Cath., His Lordship's nephew), com. by Proprietary, 7 Aug. 1670, as Secretary, Public Notary, and Judge of Probate. Soon after 5 June 1671, having succeeded, on his father's death, to the title of baronet, he returned to his estates in Ireland leaving Robert Ridgely his deputy. By commission of 20 Nov. 1672 Lord Baltimore separated the office of Judge of Probate from that of Secretary and united it with that of Chancellor. Shortly before 25 April 1673 he revoked Talbot's commission as Secretary.

12. *Hon CHARLES CALVERT, the Lieutenant General; acted in the interval between Talbot's departure and the swearing in of Col. William Calvert.

13. *Col. WILLIAM CALVERT, com. 10 Dec. 1673 and sworn 16 March 1673/4; recom. by Charles, the new Lord Proprietary, 5 April 1676; drowned about 26 May 1682. Under the latter commission he ceased to be Naval Officer; and on 10 June 1676 he was given instead the ordinary license fines and a saddle on attorneys in the Provincial Court.

14. *Maj. NICHOLAS SEWALL of St. Mary's County (Cath., son of Col. Henry Sewall above) and *JOHN DARNALL of Anne Arundel County (Cath.), com. and sworn Joint Secretaries, 5 Feb. 1682/3; Darnall died 14 Dec. 1684.

15. *Maj. NICHOLAS SEWALL remained sole Secretary on Darnall's death.

16. *Maj. NICHOLAS SEWALL and his brother-in-law, *Col. WILLIAM DIGGES of St. Mary's County (Prot., wife and children Cath.), com. jointly, 12 Aug. and sworn 28 Nov. 1685; deprived of office by the Committee of the Protestant Freemen, 1 Aug. 1689. The Secretaryship then fell into abeyance. Digges died in 1697 and Sewall in 1737.

17. Sir THOMAS LAWRENCE of Chelsea, Middlesex, Bart. (Prot.), com. by the crown, 5 Sept. 1691 and sworn 30 Sept. 1692; suspended from office, 27 March, and imprisoned 8 April 1693; released 22 Sept. 1693 and restored as Secretary on 2 May 1694. Went home to England in Oct., 1694, appointing Col. Thomas Brooke II his deputy; returned to Maryland in Aug., 1696; left again for England in May, 1698, and there resigned in favor of his son.

18. THOMAS LAWRENCE, JR. of Annapolis (Prot.), com. by the crown, 20 Sept. 1698; sworn 18 March 1698/9; died of fever, 15 April 1701.

19. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), com. by Gov. Blakiston, 16 April and sworn 20 April 1701; superseded by Lawrence.

20. Sir THOMAS LAWRENCE, Bart., com. by the crown 11 July and sworn 19 Nov. 1701; returned to England in Jan., 1705/6, leaving Col. Philemon Lloyd II his deputy; died at Chelsea in April, 1714.

21. THOMAS BEAKE of London (Prot.), com. by Queen Anne prior to 20 June 1714. In return for a promise of the Secretary's office for life he solicited and obtained restoration of the government of Maryland to the Lords Baltimore.

22. THOMAS BEAKE and his brother-in-law, *CHARLES LOWE of Denby, Derbyshire (Prot., His Lordship's second cousin) com. jointly by Charles, Lord Baltimore, and Francis, Lord Guilford, 30 May 1715. Lowe died in office shortly before 3 April 1729.

23. THOMAS BEAKE and *Hon. CECILIUS CALVERT of London (Prot. convert, mother Cath. convert; His Lordship's brother) com. jointly 30 Jan. 1729/30. Beake probably died in or before February, 1732/3.

24. *WILLIAM JANSSEN of London (Prot., Lady Baltimore's brother), com. shortly before 23 Feb. 1732/3; died in office in or

before January, 1740/1. He accompanied Lord Baltimore on his visit to Maryland in 1732-33.

25. JOHN BROWNING of Horton Lodge, Epsom, Surrey (Prot., married later, 13 May 1762, His Lordship's elder sister Louisa), com. in or shortly before January, 1740/1; displaced to provide for the Hon. Cecilius Calvert.

26. *Hon. CECILIUS CALVERT of London (Prot. convert, mother Cath. convert; Lord Baltimore's uncle), com. by Frederick and his guardians, John Sharpe and Arthur Onslow, 17 Aug. 1751, and again by His Lordship alone, 28 Feb. 1753; died in office in October, 1765.

27. HUGH HAMERSLEY of Lincoln's Inn, London, and of Pyrton Manor, Oxford (Prot.; the Calverts' family solicitor), com. to succeed Calvert, 4 Nov. 1765; recom. by Henry Harford and his guardians, of whom he was one, Sept., 1771; died in 1789.

2 b. DEPUTY SECRETARY.

1. ROBERT RIDGELY of St. Mary's City (Prot.?) com. by Secretary Sir William Talbot chief clerk of all his offices to act as Talbot's deputy during the latter's absence from the province, 5 June 1671. He seems never to have used the style of "Deputy Secretary"; after the revocation of Talbot's commission, shortly before 25 April 1673, he ceased to act in this capacity.

2. Col. THOMAS BROOKE II of Prince George's County (Prot. convert, 3 of his brothers Jesuits), appointed by Secretary Sir Thomas Lawrence, 18 Oct. 1694, to act as Deputy Secretary and Deputy Notary during Lawrence's absence in England; superseded by Sir Thomas's return in August, 1696.

3. Col. PHILEMON LLOYD II of Talbot County (Prot., mother Cath.; brother of Maj. Gen. Edward Lloyd, President of the Council), deputed by Sir Thomas Lawrence on his final return to England, 8 Jan. 1705/6; again by Beake and Lowe, 31 May 1715, and by Beake and Calvert, 30 Jan. 1729/30; died 19 March 1731/2. By virtue of his deputation from Beake and Lowe he took possession of the Land Office and in June, 1717, assumed the style of Judge of that office.

4. EDMUND JENINGS of Annapolis (Prot.), com. by His Lordship Deputy Secretary and Judge of the Land Office, 20 March

1732/3; sworn 24 April 1733; recom. Deputy Secretary in 1742/3; deputed by Cecilius Calvert, 11 Sept. 1751 and 1 March 1753. On 27 Oct. 1740, before undertaking a trip to England, he commissioned John Ross his deputy; he again left the province, to reside permanently in England, 15 Sept. 1753; he died at Bath, 3 March 1756. On Lt. Gov. Ogle's appointment of Col. Levin Gale as Judge of the Land Office, 16 Dec. 1738, this place was separated from the office of Deputy Secretary.

5. Col. GEORGE PLATER II of St. Mary's County (Prot.), deputed by Secretary Calvert, 9 Dec. 1754; com. by Lt. Gov. Sharpe, 11 March and sworn 14 March 1755; died in office, 17 May 1755.

6. *Dr. GEORGE STEUART of Annapolis (Prot., wife Cath. and distantly related to the Calverts), com. by Lt. Gov. Sharpe, 20 May and sworn 27 May 1755. As Principal Secretary Calvert desired to raise his saddle on the Deputy's office from £200 to £300 per year, Dr. Steuart was put in to officiate gratis until Lt. Gov. Sharpe could find some competent person to accept the office at this rate. As no such candidate appeared, the office was at last given to Col. Tasker under the old saddle of £200.

7. Col. BENJAMIN TASKER, JR. of Annapolis (Prot., son of B. Tasker, Sr., Pres. of the Council, nephew of Lt. Gov. Bladen, and brother-in-law of Lt. Gov. Ogle), com. by Lt. Gov. Sharpe, 29 Dec. 1755 and sworn 1 Jan. 1756; died in office, 17 Oct. 1760.

8. JOHN RIDOUT of Annapolis (Prot., Lt. Gov. Sharpe's private secretary and protégé; m. in 1760 Ann Ogle, Col. Tasker's niece), com. by Sharpe, 18 Oct. and sworn 20 Oct. 1760; Sharpe hoped the Calverts would confirm this appointment, but they preferred to gratify Dulany; Ridout meantime had given up the profits of the Western Shore Surveyorship, which Sharpe had allowed him.

9. DANIEL DULANY, JR. of Annapolis (Prot., brother-in-law of Tasker above and uncle of Mrs. John Ridout), sworn Deputy Secretary by Calvert's direction, 22 June 1761; recom. 29 April 1773. Dulany was presented for High Treason, and his estates were confiscated, in 1781. He then retired from the bar and took up his residence in Baltimore Town where he died, 17 March 1797.

3. COMMISSARY GENERAL OR JUDGE OF PROBATE.

On 24 April 1673 this office was taken from the Principal Secretary and united with the Chancellorship whence it was separated in October, 1693. The Commissaryship General was omitted from the Constitution of 1776. An act of 20 April 1777 abolished it and assigned custody of the records of the Prerogative Office to the Register of Wills of Prince George's County.

1. KENELM CHESELDYNE of St. Mary's City (Prot.), was com. by acting Gov. Andros, 3 Oct. and sworn 4 Oct. 1693; recom. by Gov. Blakiston, 18 Oct. 1694. On 5 Aug. 1697 he was dismissed for drunkenness and negligence, and one Robert Smith of Talbot County was appointed in his place; but as Smith never took office, Cheseldyne served on till Aug., 1699. He died in Dec., 1708.

2. Col. JOHN ADDISON of Charles County (Prot.), JOHN COURTS of the same (Prot.), and Addison's step son-in-law, Col. THOMAS BROOKE II of Prince George's County (Prot. convert, 3 of his brothers Jesuits), com. jointly and sworn 12 Aug. 1699.

3. Col. THOMAS BROOKE II, com. sole Commissary General, 1 June 1700.

4. Col. THOMAS BROOKE II and his brother-in-law, Maj. WILLIAM DENT of Charles County (Prot., Addison's stepson), com. jointly, 23 May 1704; Dent died in Nov., 1704.

5. Col. THOMAS BROOKE II and Col. JOHN CONTEE of Charles County (Prot.), com. jointly by Gov. Seymour, 1 Dec. 1704 and sworn 20 Feb. 1704/5. Contee had just married one Mary Townley, Seymour's favorite cousin.

6. Col. JOHN CONTEE, com. sole Commissary General, 5 Sept. 1706; died in office, 3 Aug. 1708.

7. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), com. 16 Aug. and sworn 18 Aug. 1708; died in office, 7 Aug. 1718.

8. THOMAS BORDLEY of Annapolis (Prot.), com. 16 Aug. 1718; dismissed in September, 1721; died 11 Oct. 1726.

9. Col. WILLIAM HOLLAND of Anne Arundel County (Prot.), com. 1 Sept. and sworn 19 Sept. 1721.

10. Col. WILLIAM HOLLAND, Col. THOMAS ADDISON of Prince

George's County (Prot., son of John Addison above), and his brother-in-law, DANIEL DULANY, SR. of Annapolis (Prot.), com. jointly, 6 Nov. 1721.

11. Col. WILLIAM HOLLAND, DANIEL DULANY, SR., Col. THOMAS ADDISON, and his half brother-in-law, Col. THOMAS BROOKE II, com. jointly, 20 Oct. 1722. Dulany resigned in July, 1724.

12. Col. WILLIAM HOLLAND, Col. THOMAS ADDISON, and Col. THOMAS BROOKE II, com. jointly, 15 July 1724. Addison died in June, 1727.

13. Col. WILLIAM HOLLAND, Col. THOMAS BROOKE II, and his former son-in-law, PHILIP LEE of Prince George's County (Prot., wife Prot. convert), com. jointly, 7 June 1727; all were soon displaced to provide for Capt. Calvert. Brooke died 7 Jan. 1730/1 and Holland in Oct., 1732.

14. *Capt. CHARLES CALVERT of Annapolis (Prot., Baltimore's cousin), deprived of the Lt. Governor's place and com. sole Commissary General by his successor, the Hon. Benedict Leonard Calvert, 15 July 1727; dismissed next year for opposing Lt. Gov. Calvert.

15. *Hon. EDWARD HENRY CALVERT of Annapolis (Prot. convert, Baltimore's brother), com. by Proprietary, 19 June 1728 and sworn 11 Feb. 1728/9; died in office, 24 April 1730.

16. *Capt. CHARLES CALVERT, com. again, 9 May 1730; died in office, 2 Feb. 1733/4.

17. BENJAMIN TASKER, SR. of Annapolis (Prot., mother prob. Cath.; wife's mother Cath., son-in-law of Bladen above) and DANIEL DULANY, SR., com. jointly, 5 Feb. 1733/4. Tasker resigned, to be Proprietary Agent and Receiver General, 12 Nov. 1734.

18. DANIEL DULANY, SR., com. 13 Nov. 1734; recom. 14 Oct. 1742; died in office, 5 Dec. 1753.

19. BENJAMIN TASKER, SR. (who had lately resigned the proprietary Agency) and his son-in-law, DANIEL DULANY, JR. of Annapolis (Prot.), com. jointly, 15 Aug. 1754; Dulany resigned in Jan., 1756.

20. BENJAMIN TASKER, SR., remained sole Commissary on Dulany's resignation; he resigned in favor of his son-in-law, 26 Dec. 1758.

21. DANIEL DULANY, JR., com. 26 Dec. 1758 and sworn 2 Jan. 1759; resigned to be Deputy Secretary, 22 June 1761.

22. JOHN RIDOUT of Annapolis (Prot.; Lt. Gov. Sharpe's protégé; married to Tasker's granddaughter and Dulany's niece), com. 23 June 1761 after the Calverts had disallowed his appointment as Deputy Secretary; as Baltimore would not approve this appointment either, Ridout, in March, 1762, resigned and succeeded Stephen Bordley in the Naval Office at Annapolis.

23. STEPHEN BORDLEY of Annapolis (Prot., son of Thomas Bordley above), com. 13 March 1762; died in office, 6 Dec. 1764. He was Daniel Dulany's political rival and was said to be the only man in the province of comparable abilities; stricken with paralysis in Dec., 1763.

24. CHARLES GOLDSBOROUGH of Dorchester County (Prot.), com. 7 Dec. 1764; died in office, 9 July 1767. He was a correspondent of the Hanburys of London and a protégé of Col. Edward Lloyd's.

25. WALTER DULANY of Annapolis (Prot., brother of Daniel, Jr.), com. 15 July 1767; recom. 29 April 1773; died in office, 20 Sept. 1773. Proposed for this place by the Messrs. Hanbury and by Mr. William Anderson, merchants of London.

26. *Col. WILLIAM FITZHUGH of Calvert County (Prot., wife's mother Cath.), com. 23 Sept. 1773; office abolished, 20 April 1777. Fitzhugh, who served as an officer in the Continental Army, died in 1798; his son George was an intimate friend of Lt. Gov. Eden's.

4. ATTORNEY GENERAL.

This office was permanently separated from that of Secretary in 1657. Under royal government (1690-1715) there were two Attorneys General, one for the Proprietary and one for the King. The office was continued under the Constitution of 1776. Other places held by any Attorney General during his incumbency are indicated in each case.

1. Lt. RICHARD SMITH, SR., of Calvert County (Prot.), appointed by the Provincial Court, 28 Sept. 1657.

2. Capt. THOMAS MANNING of Calvert County (Prot.), com. by the Lt. Gen., 20 Feb. 1660/1.

3. *Col. WILLIAM CALVERT of St. Mary's City (Cath.), sworn 12 June 1666.

4. *Col. VINCENT LOWE of Talbot County (Cath.), sworn 13 Dec. 1670. Resigned after appointed Sheriff of Talbot County.

5. KENELM CHESELDYNE of St. Mary's City (Prot.), sworn 6 April 1676.

6. THOMAS BURFORD of Charles County (Prot.), appointed by His Lordship and sworn 4 Oct. 1681; died in office in March, 1686/7.

7. ROBERT CARVILE of St. Mary's City (Cath.), com. by Chancellor Henry Darnall, pursuant to Lord Baltimore's instructions, 3 April 1688. Superseded by Carroll.

8. *CHARLES CARROLL of St. Mary's City and of Anne Arundel County (Cath.), formerly of the Inner Temple, London; com. by the Proprietary, to hold office during good behavior, 18 July 1688; arrived in Maryland 1 Oct. and was confirmed in office by the Deputy Governors, 13 Oct. 1688. After 1 Aug. 1689 he continued as Lord Baltimore's Attorney General until the restoration of Proprietary government. On the death, 17 June 1711, of Col. Henry Darnall I, his father-in-law, he succeeded to the offices of Agent and Receiver General and Keeper of His Lordship's Great Seal.

9. Col. GEORGE PLATER I of St. Mary's County (Prot.), appears as acting Attorney General, for the crown, as early as 23 April 1691; superseded by Wynne.

10. EDWARD WYNNE of St. Mary's County (Prot.), sworn crown Attorney General, 5 April 1692; died in office shortly before 8 Sept. 1692.

11. Col. GEORGE PLATER I, sworn 8 Sept. 1692; resigned to be Naval Officer of Patuxent shortly before 21 Oct. 1698. He was Receiver of Patuxent and, until Nov., 1696, Collector of the same. He married, about 1694, Anne, dau. of Thomas Burford above.

12. Maj. WILLIAM DENT of Charles County (Prot.), com. by Gov. Nicholson, 22 Oct. 1698, and again by Gov. Seymour, 16 May 1704; resigned 8 May 1702 but continued to serve until his death in Nov., 1704. He was also Naval Officer of North Potomac, and in May, 1704, he became joint Commissary General.

13. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), com. by Gov. Seymour as Her Majesty's Attorney General, suc-

ceeding Dent, 4 Dec. 1704; sworn His Lordship's Attorney General, succeeding Carroll, 1 May 1716; died in office, 1 Aug. 1718. He was Naval Officer of Annapolis, and in Aug., 1708, he became sole Commissary General.

14. THOMAS BORDLEY of Annapolis (Prot.), sworn 6 Sept. 1718; dismissed in September, 1721. He was sole Commissary General. He died 11 Oct. 1726.

15. DANIEL DULANY, SR. of Annapolis (Prot., protégé and former clerk of George Plater above), succeeded Bordley, 10 Oct. 1721. Until July, 1724, he was joint Commissary General. He resigned in 1725.

16. MICHAEL HOWARD of Talbot County (Prot.), sworn 19 Oct. 1725. He was appointed Surveyor General of the Eastern Shore in June, 1726, and Naval Officer of Oxford about 1727. He resigned in 1734.

17. DANIEL DULANY, SR., succeeded Howard in Oct., 1734, and was also sole Commissary General; resigned in 1744.

18. *HENRY DARNALL III of Prince George's County (Prot. convert, wife and children Cath.), com. and sworn 19 April 1744; appointed Naval Officer of Patuxent, 24 May 1755; persuaded to resign early in 1756.

19. STEPHEN BORDLEY of Annapolis (Prot., son of Thomas Bordley above), com. 26 March and sworn 26 May 1756; suffered a paralytic stroke and resigned in Dec., 1763; died 6 Dec. 1764. He was Naval Officer of Annapolis until March, 1762, when he became sole Commissary General.

20. EDMUND KEY of Annapolis (Prot., mother Cath.), com. 26 Dec. 1763 and sworn 10 April 1764; resigned shortly before his death on 4 May 1766.

21. ROBERT GOLDSBOROUGH II of Dorchester County (Prot.), sworn 8 April and com. 4 June 1766. Resigned in 1768; died 30 April 1777.

22. THOMAS JENINGS of Annapolis (Prot.), sworn 18 Oct. and com. 27 Oct. 1768; recom. 29 April 1773. He was appointed state Attorney General in April, 1777, but was succeeded, on 6 Jan. 1778, by Benjamin Galloway. He was a relative of former Deputy Secretary Edmund Jenings.

5. PROVINCIAL CLERKS.

a. *Clerk of the Council.*

From October, 1678, until organization of the state government the Clerk of the Council was always Clerk of the Upper House, and until July, 1707, he was also Clerk of the High Court of Appeals. He was chosen by the Governor and Council and appointed by the Governor.

1. WILLIAM BRETTON of St. Mary's City (Cath.), entered office in or before 1638. Retained other clerkships after 1647.

2. ROBERT CLARKE of St. Mary's City (Cath.), succeeded Bretton shortly before 11 Sept. 1647; was also Surveyor General. He ceased to be Clerk when he was appointed to the Council in 1653/4.

3. Col. HENRY COURSEY of Kent County (Prot.), entered office shortly before 24 July 1654; resigned to be Secretary in 1659/60.

4. CECILIUS LANGFORD of Kent County (Cath.?), entered office shortly before 7 March 1659/60; left the province prior to April, 1664.

5. ROBERT RIDGELY of St. Mary's City (Prot.?), succeeded Langford in 1664.

6. JOHN BLOMFIELD of St. Mary's City (Cath.?), com. 5 May 1669; discharged, 21 July 1670.

7. ROBERT RIDGELY, succeeded Blomfield in July, 1670. He was also Deputy Secretary and Clerk of the Lower House.

8. JOHN BLOMFIELD, entered office shortly before 23 Aug. 1674.

9. JOHN LLEWELLIN of St. Mary's City (Prot.), entered office shortly before 15 April 1678; became Clerk of the Upper House as well, 20 Oct. 1678.

10. *THOMAS GRUNWIN of St. Mary's City (Cath.?), sworn 6 July 1683. Removed to be Clerk of the Secretary's Office.

11. JOHN LLEWELLIN, sworn 29 Dec. 1683.

12. HENRY BONNER of Prince George's County (Prot.), sworn 10 April 1685.

13. JOHN LLEWELLIN, appointed just before 5 May 1685; discharged, 13 June 1686; but continued Clerk of Upper House until 8 March 1686/7.

14. JAMES HEATH of Anne Arundel County (Cath.), sworn 8 Sept. 1686 and appointed Clerk of Upper House, 8 March 1686/7; left for England in May, 1688. Thomas Grunwin, appointed to serve in his place as Clerk Assistant, was turned out by the Protestant Associators, 1 Aug. 1689.

15. JOHN LLEWELLIN, entered office shortly before December, 1690; resworn 25 Sept. 1693 but at once resigned. He died in 1698.

16. HENRY DENTON of Annapolis (Prot.), sworn 28 Sept. 1693; died in April, 1698.

17. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), appointed in April, 1698; resigned in October, 1716. (Evan Jones served in his place, 27 Sept. to Nov. 1708).

18. JOHN BEARD of Annapolis (Prot.), com. 12 Oct. 1716; died late in 1719.

19. JOHN BEALE of Annapolis (Prot.), appointed late in 1719. Superseded by Skippon.

20. Rev. SAMUEL SKIPPON of Annapolis (Prot.), com. by Baltimore, 23 Dec. 1721; sworn 20 Feb. 1721/2; died in December, 1724.

21. Col. GEORGE PLATER II of St. Mary's County (Prot.), com. 12 Dec. 1724 and sworn 1 Jan. 1724/5; resigned in Jan., 1728/9, to be Collector of Pocomoke.

22. *JOHN ROSS of Annapolis (Prot.), com. 11 Feb. and sworn 13 Feb. 1728/9; resigned in favor of his son-in-law late in 1764; died 18 Sept. 1766.

23. *Dr. UPTON SCOTT of Annapolis (Prot., Lt. Gov. Sharpe's physician), com. 15 Dec. 1764; recom. 29 April 1773; resigned in Dec., 1773.

24. JAMES BROOKS of Annapolis (Prot.), com. 1 Jan. 1774. The Council ceased to meet in 1776. On 26 March 1778 Brooks was ordered to deliver his books and papers to the Clerk of the State Council.

b. Clerk of the Upper House.

On the division of Assembly into two houses, April, 1650, William Bretton, formerly Clerk of Assembly, became Clerk of the Lower House. The Secretary served as Clerk of the Upper House until the appointment of John Gittings to that office in April, 1661. After October, 1678, the Clerk of the Council was also Clerk of the Upper House.

1. JOHN GITTINGS of Calvert County (Prot.), took office at opening of April session, 1661; served through session ending 8 May 1669.

2. Col. JOHN ROUSBY I of Calvert County (Prot.), sworn 27 March 1671; served only for the two sessions of that year.

3. RICHARD BOUGHTON of Charles County (Prot.), sworn 19 May 1674; served through session ending 15 June 1676.

[JOHN LLEWELLIN of St. Mary's City (Prot.), Clerk of the Council, became Clerk of the Upper House at opening of the October session, 1678.]

c. Clerk of the Lower House.

This clerk was usually chosen by the delegates and admitted to office by the Governor.

1. WILLIAM BRETTON of St. Mary's City (Cath.), chosen clerk at opening of second (first recorded) Assembly in January, 1637/8; became Clerk of Lower House when Assembly was divided in April, 1650; served through March, 1650/1.

2. WILLIAM DURAND of Anne Arundel County (Prot.), clerk of the Puritans' Assembly, October, 1654. Was also Secretary.

3. ANDREW SKINNER of Anne Arundel County (Prot.), clerk of the Puritans' Assembly, September, 1657.

4. THOMAS TURNER of St. Mary's County (Cath.), session of April, 1658.

5. ROGER ISHAM of St. Mary's County (Cath.?), 28 Feb. to 14 March 1659/60.

6. WILLIAM BRETTON, 17 April 1661 to 3 May 1666; died in 1667.

7. ROBERT CARVILE, of St. Mary's City (Cath.), 13 April to 8 May 1669.

8. ROBERT RIDGELY of St. Mary's City (Prot.?), 10 Oct 1671 to 12 Nov. 1681; died soon thereafter. Was also for a time Deputy Secretary and Clerk of the Council.

9. *THOMAS GRUNWIN of St. Mary's City (Cath.), 26 April to 17 Nov. 1682. Resigned to be Clerk of the Council.

10. Maj. CHARLES BOTELER of Calvert County (Prot.), 3 Oct. 1683 to 26 April 1684; died in Sept., 1686.

11. Maj. WILLIAM DENT of Charles County (Prot.), 26 Oct. 1686 to 8 Dec. 1688.

12. JOHN LLEWELLIN of St. Mary's City (Prot.), Clerk of the Associators' Convention, Aug. and Sept., 1689. Became Clerk of the Council in 1690.

13. HENRY DENTON of Annapolis (Prot.), 10 May 1692 to 26 Sept. 1693. Resigned to be Clerk of the Council.

14. CLEBORNE LOMAX of Charles County (Prot.), 21 Sept. 1694 to 1 March 1694/5.

15. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), 9 May 1695 to 4 April 1698. Removed to be Clerk of the Council.

16. CHRISTOPHER GREGORY of Annapolis (Prot.), 22 Oct. 1698 to 22 July 1699; died 18 Aug. 1699.

17. WILLIAM TAYLARD of Annapolis (Prot.), 26 April 1700 to 15 April 1707; died in Jan., 1711/12. He had married the widow of John Llewelin.

18. RICHARD DALLAM of Calvert County (Prot.), 28 Sept. 1708 to 14 Nov. 1713; died soon thereafter (Taylard served in his place, 26 October to 10 Nov. 1709).

19. THOMAS MACNEMARA of Annapolis (Prot. convert; wife Cath.), 22 June 1714 to 10 Aug. 1716. Appointed Naval Officer of Patuxent in 1717.

20. MICHAEL JENIFER of Charles County (Prot.), 29 May 1717 to 30 Oct. 1727; died about August, 1728.

21. MICHAEL MACNEMARA of Annapolis, son of Thomas (Prot., mother Cath.), 4 Oct. 1728 to 4 June 1744 (William Cumming served for him, 13 July to 29 July 1731).

22. WILLIAM TILGHMAN of Talbot County (Prot.), 5 Aug. 1745 to 8 July 1746.

23. MICHAEL MACNEMARA, 6 Nov. 1746 to 15 Oct. 1760.

24. *JOHN ALLEN THOMAS of St. Mary's County (Prot.), 13 April 1761 to 24 April 1762.

25. MICHAEL MACNEMARA, 4 Oct. 1763 to 6 Dec. 1766; died 4 Nov. 1767.

26. TURBUTT WRIGHT of Queen Anne's County (Prot.), 25 May 1768 to 20 Dec. 1769.

27. JOHN DUCKETT of Prince George's County (Prot.), 25 Sept. 1770 to 19 April 1774, when the last colonial Assembly was prorogued.

d. Clerk of the Secretary's Office and of the Provincial Court.

This clerk, appointed by the Secretary, was, until the spring of 1673, Clerk of the Prerogative Office and, until May, 1695, Register in Chancery. Under state government he became Clerk of the General Court Office and was appointed by the justices of that court.

1. WILLIAM BRETTON of St. Mary's City (Cath.), in office prior to 7 May 1647.

2. Col. HENRY COURSEY of Kent County (Prot.), succeeded Bretton before 20 May 1652.

3. THOMAS TURNER of St. Mary's County (Cath.), entered office prior to 23 March 1656/7.

4. WILLIAM BRETTON, succeeded Turner in March, 1657/8.

5. PETER BATHE of St. Mary's County (—), sworn 11 Dec. 1660; died in June, 1661.

6. JOHN GITTINGS of Calvert County (Prot.), succeeded Bathe about June, 1661; resigned after 16 April 1663.

7. Col. DANIEL JENIFER of St. Mary's County (Prot.? wife Cath.), entered office prior to March, 1663/4.

8. JOHN BLOMFIELD of St. Mary's City (Cath.?), com. by the Lieutenant General, 5 May and sworn 8 May 1669; dismissed 21 July 1670.

9. THOMAS CABEWOOD of St. Mary's City (—), sworn 9 Nov. 1670; dismissed 19 Jan. 1670/1.

10. ROBERT RIDGELY of St. Mary's City (Prot.?), sworn 19 Jan. 1670/1, com. by Secretary Talbot, 5 June 1671 and again 25 April 1673. He was in fact, but not in name, Deputy Secretary and so Deputy Notary Public.

11. JOHN BLOMFIELD, sworn 23 March 1673/4 and recom. by the Lieutenant General, 5 April 1676; was not Clerk of the Prerogative Office.

12. NICHOLAS PAINTER of Anne Arundel County (—), sworn 12 Feb. 1677/8.

13. WILLIAM COCKS of St. Mary's County (Prot.?), sworn 1 March 1681/2, succeeding Painter, and again 28 March 1683.

14. *THOMAS GRUNWIN of St. Mary's City (Cath.?), sworn 18 March 1683/4. Resigned in 1686; died in Nov., 1713.

15. JAMES HEATH of Anne Arundel County (Cath.), sworn in April, 1686, resigned to be Clerk of the Council, Sept., 1686.

16. EDWARD BOOTHBY of Baltimore County (Prot.), sworn 14 Sept. 1686.

17. RICHARD TULL of Somerset County (—), succeeded Boothby prior to 2 March 1687/8; forced out by the Protestant Associators, 4 Sept. 1689.

18. WILLIAM TAYLARD of Annapolis (Prot.), appointed by the Convention, 4 Sept. 1689; sworn 30 Sept. 1692; confirmed in office by Secretary Lawrence, 30 Nov. 1692.

19. HENRY WRIOTHESLY of Baltimore County (Prot.), sworn 9 Nov. 1694; resigned to be Clerk of Baltimore County in August, 1698.

20. CHRISTOPHER GREGORY of Annapolis (Prot.), succeeded Wriothesly about August, 1698; sworn 9 May 1699; died 18 Aug. 1699.

21. WILLIAM TAYLARD, com. 19 Aug. and sworn 3 Oct. 1699. He married the widow of William Cocks above.

22. THOMAS BORDLEY of Annapolis (Prot.), sworn 28 Sept. 1703.

23. JOHN BEALE of Annapolis (Prot.), succeeded Bordley on 13 May 1707.

24. VACHEL DENTON of Annapolis (Prot.), sworn 21 June 1718; dismissed 8 Aug. 1732.

25. WILLIAM GHISELIN of Annapolis (Prot.), com. 8 Aug. and sworn 17 Oct. 1732; died in October, 1743.

26. RICHARD BURDUS of Annapolis (Prot.), com. 16 Nov. 1743 and sworn 10 April 1744; resigned in August, 1755, and died in May, 1756.

27. WILLIAM STEWART of Annapolis (Prot.), com. by his brother, Deputy Secretary George Steuart, 5 August, and sworn 21 Oct. 1755; turned out by Deputy Secretary Tasker.

28. WILLIAM SLIGH of Annapolis (Prot.), com. and sworn 12 May 1756; died 3 March 1757.

29. WILLIAM STEWART, served May court only, 1757; two years later his brother appointed him Clerk of the Land Office.

30. REVERDY GHISELIN of Annapolis (Prot., son of William Ghiselin above), succeeded Stewart about September, 1757, sworn 14 April 1760.

31. ELIE VALLETTE of Annapolis (Prot.), sworn 19 May 1766.

32. REVERDY GHISELIN, sworn 29 April 1773; died 2 April 1775. His successor, George Rankin of Annapolis, was appointed on 3 April 1775.

e. Register in Chancery.

Prior to May, 1695 (except from 16 Feb. 1668/9 to 9 Nov. 1670 when ROBERT CARVILLE [Cath.] was Register) the Clerk of the Secretary's Office was always Register in Chancery. Separate chancery records begin with Carville's appointment. John Freeman, like all or most previous Registers, was appointed by the Secretary; but his successors were appointed by the Chancellor.

1. JOHN FREEMAN of Annapolis (Prot.), com. by Secretary Lawrence, 10 April and sworn 14 May 1695; died in December, 1708.

2. JOHN BEALE of Annapolis (Prot.), entered office prior to 12 Feb. 1708/9.

3. ROBERT HALL of Prince George's County (Prot.), succeeded Beale in July, 1709; resigned to be Clerk of Prince George's County in August, 1711.

4. EDWARD BENSON of Annapolis (Prot.), sworn 5 Sept. 1711.

5. THOMAS JONES of Annapolis (Prot.), sworn 21 Jan. 1714/5; died in October, 1716.

6. JOHN BEARD of Annapolis (Prot.), succeeded Jones; resigned to be Clerk of the Prerogative Office in July, 1718.

7. VACHEL DENTON of Annapolis (Prot.), entered office in July, 1718; resigned to be Clerk of the Prerogative Office in June, 1720.

8. JOHN TALBOT of Annapolis (Prot.), succeeded Denton on or just before 1 July 1720; died about April, 1722.

9. EDWARD GRIFFITH of Annapolis (Prot.), succeeded Talbot; resigned in June and died in September, 1724.

10. RICHARD CLAGGETT of Prince George's County (Prot.), com. and sworn 23 June 1724.

11. *JOHN ROSS of Annapolis (Prot.), com. 15 July 1729; resigned in April, 1761.

12. REVERDY GHISELIN of Annapolis (Prot.), succeeded Ross; resigned in Dec., 1767.

13. JAMES BROOKS of Annapolis (Prot.), com. 10 Dec. and sworn 11 Dec. 1767; resigned in Sept., 1776.

f. Clerk of the Prerogative Office.

Prior to April or May, 1673, the Clerk of the Secretary's Office was also Clerk of the Prerogative Office. This office was omitted from the Constitution of 1776 and was abolished on 20 April 1777. The clerks were appointed by the successive Commissaries General.

1. MICHAEL ROCKFORD of ——— (——), appears 4 Aug. 1674; probably appointed by Chancellor Philip Calvert who was com. Commissary General on 20 Nov. 1672 and sworn 24 April 1673, the office of Commissary General being at that time separated from the Secretaryship and united with the Chancellorship.

2. WILLIAM STONE of ——— County (——), appears 26 Sept. 1676.

3. WILLIAM CORNWALLEYS of ——— (——), appears 12 May 1678.

4. JAMES BOULLAY of ——— (——), appears 28 April 1679.

5. Col. JOHN THOMPSON, SR., of Cecil County (Prot.), appears 3 Sept. 1679.
6. GEORGE BUTLER of St. Mary's City (—), appears 6 Oct. 1681.
7. EUSTATIUS TURIN of — (—), appears 30 March 1682.
8. JAMES CULLEN of St. Mary's City (—), appointed 27 Jan. 1684/5.
9. WILLIAM TAYLARD of Anne Arundel County (Prot.), sworn 2 Dec. 1685.
10. JAMES HEATH of Anne Arundel County (Cath.), sworn 7 April 1687; left for England in May, 1688.
11. JOHN BLOMFIELD of St. Mary's City (Cath.?), appointed 9 May 1688; driven from office by the Protestant Associators, August, 1689. He died in 1692.
12. JOHN LLEWELLIN of St. Mary's County (Prot.), appointed shortly before September, 1692.
13. JOHN BOUYE of St. Mary's County (Prot.), sworn 30 Jan. 1692/3; dismissed 5 Aug. 1697 but served almost a year longer.
14. EDWARD BATSON of Calvert County (Prot.), sworn 28 May 1698. Resigned to be Clerk of Charles County.
15. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), appointed 14 Aug. 1699; resigned in June, 1700.
16. WILLIAM TAYLARD, appointed 2 July 1700; resigned in August, 1708.
17. THOMAS BORDLEY of Annapolis (Prot.), appointed 18 Aug. 1708; resigned in August, 1712.
18. EVAN JONES of Annapolis (Prot.), com. 20 Aug. 1712.
19. BENJAMIN TASKER, SR. of Annapolis (Prot., mother probably Cath., wife's mother Cath., son-in-law of William Bladen above), appears at February Court, 1714/5; resigned in July, 1718, to be Surveyor and Searcher of Annapolis.
20. JOHN BEARD of Annapolis (Prot., brother-in-law of Thomas Bordley above), com. 4 Aug. 1718; soon resigned; died in 1719.

21. PHILIP HAMMOND of Annapolis (Prot.), com. 14 Nov. 1718.

22. VACHEL DENTON of Annapolis (Prot.), appears in May, 1721; resigned in June, 1723.

23. Col. GEORGE PLATER II of St. Mary's County (Prot.), com. 27 June 1723; resigned in June, 1729, after he was appointed Naval Officer of Patuxent.

24. JOHN GIBSON of Annapolis (Prot.), succeeded Plater shortly before 8 July 1729; recom. 9 May 1730; resigned in June, 1736; returned to England.

25. Capt. WILLIAM ROGERS of Annapolis (Prot.), com. 21 June 1736; died in July, 1749. His wife was the widow of Commissary General Dulany's first wife's stepfather.

26. RICHARD DORSEY of Annapolis (Prot.), com. and sworn 31 July 1749; resigned in Sept., 1752.

27. MICHAEL MACNEMARA of Annapolis (Prot., mother Cath.), com. 21 Sept. 1752; resigned in November, 1760.

28. JOHN DAVIDGE of Annapolis (Prot.), com. 6 Nov. 1760; died 30 April 1764.

29. GIDEON MACAULAY of Annapolis (Prot.), sworn 2 May 1764.

30. ELIE VALLETTE of Annapolis (Prot.), com. 19 Dec. 1764; office abolished, 20 April 1777. Vallette died in 1780.

6. CLERKS OF COUNTIES.

The counties appear in the order of their establishment. Except where otherwise indicated these clerks resided in their counties and were Protestants born of Protestant connections. After 1667 County Clerks were appointed by the Secretary in Maryland. The Constitution of 1776 gave their appointment to the several county courts.

a. *Clerk of St. Mary's County.*

1. ROGER ISHAM (—), com. 10 May 1658.

2. WALTER HALL (—), com. 14 June 1661 and again 19 Aug. 1668. Resigned in 1673/4 and died in Nov., 1678.

3. EDWARD CLARKE (Cath.), com. 27 March 1674; died about February, 1676/7.

4. JOHN MANLEY (—), succeeded Clarke about February, 1676/7.

5. *THOMAS GRUNWIN (Cath.), succeeded Manley shortly before September, 1680. Resigned to be Clerk of the Secretary's Office.

6. THOMAS IMPEY of Talbot County (—), succeeded Grunwin in 1683/4.

7. JOHN BLOMFIELD (Cath.), entered office prior to April, 1686; forced out by the Protestant Associators, 4 Sept. 1689. He died in 1692.

8. WILLIAM TAYLARD, appointed by act of the Convention, 4 Sept. 1689.

9. JOHN SKIPWITH, appointed by Secretary Lawrence probably on his arrival, April, 1692; died in October, 1692.

10. HENRY DENTON of Annapolis, succeeded Skipwith in October, 1692; resigned to be Clerk of the Secretary's Office about May, 1695.

11. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.) succeeded Denton prior to October, 1695; resigned to be Clerk of the Council.

12. WILLIAM AISQUITH, appointed ——— 1698; resigned about 1705.

13. GEORGE MUSCHAMP, succeeded Aisquith about 1705; died in November, 1709.

14. *Lt. Col. HENRY LOWE, SR. (Prot., wife and daughters Cath), appointed on death of Muschamp; died in November, 1717.

15. MICHAEL JENIFER of Charles County, appointed on death of Lowe; died in August, 1728.

16. THOMAS BROOKE III of Prince George's County, succeeded Jenifer; resigned in or before May, 1740, and died 28 Dec. 1744.

17. PHILIP KEY (Prot., wife Cath.), succeeded Brooke prior to 10 May 1740; resigned in favor of his son when appointed Sheriff, 6 June 1744.

18. Capt. RICHARD WARD KEY (Prot., mother Cath.), succeeded his father in June, 1744; died 10 April 1765.

19. *Col. BENJAMIN YOUNG, JR. (Prot., mother Cath.; brother-in-law of Deputy Secretary Dulany), succeeded Key in April, 1765; transferred to Clerkship of Cecil County, 30 Nov. 1770.

20. DANIEL WOLSTENHOLME, gave bond 12 Dec. 1770; formerly a factor of Messrs. Hanbury of London.

b. *Clerk of Kent County, 1637.*

1. Capt. ROBERT VAUGHAN, appears as clerk in 1651.

2. Col. THOMAS HYNSON, succeeded Vaughan in 1652.

3. THOMAS HILL, succeeded Hynson prior to 1 March 1654/5.

4. Col. THOMAS HYNSON, succeeded Hill, Dec., 1656.

5. WILLIAM LEEDS, appointed 1 Sept. 1657.

6. JOHN COURSEY (brother of Col. Henry Coursey, Clerk of the Council), com. 6 May 1658.

7. TOBIAS WELLS, com. 7 April 1660, and again 14 June 1661.

8. JOHN WRIGHT, com. 10 Feb. 1667/8.

9. DISBOROUGH BENNETT, com. 16 April 1669.

10. Col. PETER SAYER (Cath.), succeeded Bennett in December, 1670.

11. CHARLES BANKS, entered office prior to 26 March 1672.

12. BENJAMIN RANDALL (son-in-law of Thomas Hynson above), com. 6 Dec. 1676.

13. CHARLES BANKS, succeeded Randall about March, 1678/9; died about August, 1679.

14. Col. ELIAS KING, succeeded Banks in August, 1679.

15. MICHAEL TURBUTT (Prot., brother-in-law of Col. Vincent Lowe), succeeded King shortly before 15 March 1686/7; displaced by the Protestant Associators, 4 Sept. 1689.

16. MICHAEL MILLER, appointed by act of the Convention, 4 Sept. 1689.

17. CHARLES HYNSON, SR. (son of Col. Thomas Hynson, brother-in-law of Benjamin Randall above), appointed by Secretary Lawrence prior to 1 Oct. 1692.

18. SIMON WILMER, succeeded Hynson shortly before 25 June 1695; died in August, 1699.

19. JOHN DOWDALL, entered office prior to 29 Sept. 1699; transferred to clerkship of Cecil County in September, 1702.

20. GEORGE LUMLEY, appointed in September, 1702.

21. Capt. JAMES SMITH (nephew of Charles Hynson and of Benjamin Randall above), succeeded Lumley prior to 23 Dec. 1707; died in March, 1760.

22. DENNIS DULANY (brother of Councillor Daniel Dulany, Jr.), gave bond 18 March 1760; was succeeded by Ezekiel Forman in May or June, 1777; died 26 Nov. 1779. He was "formerly a Master of a Ship in Mr. Hanbury's Employ."

c. Clerk of Anne Arundel County, 1650.

The records of this county were burned in 1704, but many deeds were at once reentered from the originals. Goldsborough names as the first two clerks ANDREW SKINNER (1650-58) and FRANCIS STOCKETT (1658-61) but on what authority I can not discover.

3. ANDREW SKINNER, com. 14 June 1661.

4. NATHANIEL HEATHCOATE, succeeded Skinner prior to 14 March 1664/5; resigned in April, 1674, and returned to England.

5. RICHARD BOUGHTON of Charles County, com. 29 April 1674.

6. Capt. HENRY HANSLAP, succeeded Boughton prior to 13 Sept. 1682; resigned to be Sheriff, 30 May 1685.

7. HENRY BONNER, succeeded Hanslap in June, 1685.

8. FRANCIS DOWNS, presented commission 19 Feb. 1685/6; put out by Protestant Associators, 4 Sept. 1689.

9. HENRY BONNER, appointed by act of the Convention, 4 Sept, 1689; displaced by Secretary Lawrence about October, 1692.

10. THOMAS BRISCOE of Calvert County (dependent of Secre-

tary Lawrence), appointed about October, 1692; transferred to Clerkship of Calvert County about May, 1694.

11. *CHRISTOPHER VERNON, succeeded Briscoe in May, 1694; resigned in September, 1698, and returned to England.

12. CHRISTOPHER GREGORY, gave bond 1 Oct. 1698; died 18 Aug. 1699.

13. WILLIAM TAYLARD, succeeded Gregory in August, 1699; discharged 12 Jan. 1702/3.

14. EVAN THOMAS, sworn 12 Jan. 1702/3.

15. THOMAS BORDLEY, sworn 8 June 1703. Resigned after appointed Clerk of the Prerogative Office.

16. ROBERT HALL, sworn 8 March 1708/9; transferred to Clerkship of Prince George's County in June, 1711.

17. JOHN BEALE, sworn at June Court, 1711; died in April, 1734.

18. JOHN BRICE II (married stepdaughter of Thomas Bordley above and of Deputy Secretary Jenings), succeeded Beale in April, 1734; resigned in favor of his son, March, 1765, and died 24 Sept. 1766.

19. JOHN BRICE III, succeeded his father about 12 March and gave bond 20 April 1765; still in office in 1777; died 20 July 1820.

d. Clerk of Calvert County, 1654.

1. EDMOND SCOTT (—), com. 10 May 1658.

2. JAMES THOMPSON, com. 14 June 1661.

3. JOHN TURVILLE (—), sworn about 17 May 1665.

4. JOHN GITTINGS, com. 4 Oct. 1667 and again 9 Feb. 1669/70; displaced to provide for Darnall. He died in 1675.

5. *JOHN DARNALL of Anne Arundel County (Cath.), com. by His Lordship, 4 Dec. 1673; died 14 Dec. 1684.

6. *CECILIUS BUTLER (Cath.), succeeded Darnall in December, 1684; forced out by the Protestant Associators, 4 Sept. 1689. He died in 1712.

7. HENRY FERNLEY, appointed by act of the Convention, 4 Sept. 1689; dismissed by Secretary Lawrence in October, 1692.

8. Col. HENRY JOWLES put in by Secretary Lawrence, 18 Nov. 1692; resigned after appointed Chancellor.

9. THOMAS BRISCOE, (dependent of Secretary Lawrence) appointed about May, 1695; died the following August.

10. JOHN ELZEY, succeeded Briscoe; resigned in or before November, 1699, and died about May, 1700.

11. HENRY FERNLEY, succeeded Elzey in or before November, 1699.

12. EDWARD BOTELER, succeeded Fernley prior to June, 1704; died about April, 1718.

13. RICHARD YOUNG, succeeded Boteler; resigned ——— 1744 and died 7 Nov. 1748.

14. SAMUEL HARRISON (accused of being a Catholic, as his children were), appointed ——— 1744; dismissed for his Jacobite sympathies, 18 May 1749.

15. Col. WILLIAM IRELAND, appointed to succeed Harrison; died in April, 1775.

e. Clerk of Charles County, 1658.

1. GEORGE THOMPSON (——), com. 10 May 1658; dismissed by Lt. Gen. Fendall in January, 1659/60.

2. THOMAS LOMAX, put in by Lt. Gen. Fendall in January, 1659/60; expelled on the collapse of Fendall's rebellion, November, 1660.

3. GEORGE THOMPSON, restored to office in January, 1660/1.

4. RICHARD BOUGHTON (nephew of former Lt. Gen. Stone), com. 23 Dec. 1667.

5. HENRY BONNER (brother-in-law of Thomas Lomax above), com. 16 Sept. 1670.

6. PHILIP GIBBON, com. 1 Aug. 1672; died about April, 1674.

7. MATTHEW STONE (son of former Lt. Gen. Stone, cousin of Richard Boughton), com. 24 April 1674; died about September, 1676.

8. Capt. RANDOLPH BRANDT (Cath.), succeeded Stone about September, 1676; resigned in November, 1682.

9. RICHARD BOUGHTON, sworn 6 Dec. 1682; continued in office by act of the Convention, 4 Sept. 1689, but soon resigned. He died in 1706.

10. CLEBORNE LOMAX (son of Thomas Lomax and nephew of Henry Bonner), succeeded Boughton prior to 11 March 1689/90; com. by Secretary Lawrence and sworn 6 April 1692; died in spring of 1699.

11. EDWARD BATSON of Calvert County, succeeded Lomax prior to 24 May 1699; soon resigned.

12. EDMUND HOWARD, succeeded Batson prior to 13 Feb. 1699/1700; died in October, 1710.

13. JOHN ROGERS, sworn 14 Nov. 1710; died in November, 1717. He married a stepdaughter of Councillor John Contee.

14. ALEXANDER CONTEE (nephew of Councillor John Contee; married niece of Edmund Howard above), sworn 12 Nov. 1717; transferred to Clerkship of Prince George's County in August, 1720.

15. Capt. SAMUEL HANSON, SR., com. 27 June and sworn 9 Aug. 1720; died about February, 1740/1.

16. EDMUND PORTEUS, com. by his uncle, Deputy Secretary Edmund Jenings, prior to 9 June 1741; died 28 March 1752.

17. BENJAMIN FENDALL (grandson of former Lt. Gen. Josias Fendall), com. 28 March and sworn 31 March 1752; resigned in favor of his son in June, 1756, and died in April, 1764. His first wife was a niece of Edmund Howard and of Alexander Contee, his second a relation of Mrs. Porteus.

18. PHILIP RICHARD FENDALL, succeeded his father, 8 June 1756; replaced by John Gwinn, March Court, 1778. He married in 1759 his first cousin, Sarah Lettice Lee, a niece of Edmund Howard and of Alexander Contee.

f. Clerk of Baltimore County, 1660.

1. JOHN COLLETT, com. 14 June 1661; died 29 November 1669.

2. THOMAS SALMON of Cecil County (—), appointed by the County Court in November and approved by the Council, 16 Dec. 1669; resigned in April, 1674; died about July, 1675.

3. EDWARD WILLIAMS (—), com. 18 April 1674. He was also Clerk of Cecil County.

4. Capt. HENRY JOHNSON, succeeded Williams prior to 4 Dec. 1677.

5. THOMAS HEDGE, succeeded Johnson prior to 3 June 1679; continued in office by act of the Convention, 4 Sept. 1689; died in Aug., 1698.

6. HENRY WRIOTHESLY, succeeded Hedge in Aug., 1698; died in June, 1709.

7. JOHN STOKES, succeeded Wriothesly in June, 1709; resigned to be Sheriff in March, 1715/6.

8. GEORGE MIDDLETON, sworn 7 March 1715/6; served during Stokes's shrievalty.

9. JOHN STOKES, resumed office 5 Aug. 1718; died in August, 1732.

10. HUMPHREY WELLS STOKES, succeeded his father in August, 1732; resigned in 1740/1; died in 1744.

11. *THOMAS BREREWOOD, SR., succeeded Stokes prior to 3 March 1740/1; died in office, 22 Dec. 1746. His son, Thomas Brerewood, Jr., the poet, had married the Hon. Charlotte Calvert, but the two families were not very friendly. It was said that Brerewood had been put in by Lt. Gov. Ogle, rather than by Deputy Sec. Dulany, and that he was required to pay a portion of his income to Ogle in discharge of debts owed by his son.

12. TALBOT RISTEAU, sworn 3 March 1746/7; died 23 Nov. 1753. He married Catherine Stokes, related to the previous clerks of that name.

13. JOHN BEALE BORDLEY (stepson of Deputy Sec. Edmund Jenings), appointed in Nov., 1753; resigned in 1768 when he became a member of the Council; died 26 Jan. 1804.

14. *ALEXANDER LAWSON, JR. (cousin of Deputy Sec. Daniel Dulany, Jr.), succeeded Bordley, 5 Jan. 1769; replaced by William Gibson in May, 1777. From 22 March 1774 to 1 July 1776 he was also Clerk of Harford County. He died 11 Sept. 1798.

g. Clerk of Talbot County, 1662.

1. Col. MOSES STAGWELL of Kent County (—), com. temporarily, as Clerk and Sheriff, 18 Feb. 1661/2.

2. JOHN MORGAN (—), com. Clerk and Sheriff, 23 April 1662.

3. THOMAS VAUGHAN, entered office 17 Nov. 1663.

4. Capt. WILLIAM HEMSLEY (Cath.), com. 29 May 1668 and again 18 April 1674.

5. THOMAS VAUGHAN, com. 30 June 1674; resigned to be Sheriff in 1679.

6. THOMAS IMPEY (—), succeeded Vaughan, ——— 1679; died 9 Oct. 1686.

7. *Col. NICHOLAS LOWE, SR., entered office 18 Jan. 1686/7; continued by act of the Convention, 4 Sept. 1689; but soon resigned.

8. JOHN LLEWELLIN of St. Mary's City, succeeded Lowe in November, 1689; displaced by Secretary Lawrence prior to 15 Oct. 1692.

9. THOMAS GLADMAN, appointed by Lawrence prior to 15 Oct. 1692; the County Court refused to accept him.

10. JOHN VALLIANT, illegally appointed by the County Court at the same time; obliged to give up his place in 1695/6.

11. THOMAS LAWRENCE, JR. (son of Secretary Lawrence), com. by his father in or before October, 1694; admitted by the Court in 1695/6. On 18 March 1698/9 he became Principal Secretary and appointed Finley to this place.

12. Col. ROBERT FINLEY, appointed by Sec. Lawrence shortly after 18 March 1698/9. Gov. Blakiston, with whom Finley had just arrived in Maryland, obtained on 21 July 1699 the Assembly's consent to his holding office in spite of a law requiring three years prior residence; Finley died about June, 1714.

13. FOSTER TURBUTT, succeeded Finley prior to 16 June 1714; died 21 Feb. 1720/1.

14. PHILIP FEDDEMAN, succeeded Turbutt in March, 1720/1. Resigned in 1726/7; died in Feb., 1734/5.

15. TENCH FRANCIS (son-in-law of Foster Turbutt), gave bond 11 March 1726/7; in June, 1734, he hired Thomas Bullen to execute this office at a regular salary; and in 1738 he sold the office to John Leeds and removed to Philadelphia. He was Attorney General of Pennsylvania, 1744-52.

16. THOMAS BULLEN (son-in-law of Foster Turbutt and brother-in-law of Tench Francis), entered office in June, 1734. He was merely the nominal incumbent. He paid a tenth of his profits to Deputy Secretary Edmund Jenings and all the rest to Tench Francis, who allowed him in return an annual salary. In 1738 Bullen tried to buy this office for £250 sterling; but as he was unable to raise the money, Francis sold it to Leeds. Bullen died in 1750.

17. JOHN LEEDS, bought this office of Francis; gave bond 2 Aug. 1738; succeeded by Richard Skinner shortly before August, 1777. Leeds died in 1790.

h. Clerk of Somerset County, 1666.

1. EDMUND BEAUCHAMP, installed as clerk 3 July and com. 22 Aug. 1666; displaced to provide for Aylward in June, 1688.

2. WILLIAM AYLWARD (Cath.), sworn 8 June 1688; put out by the Protestant Associators, 4 Sept. 1689. He was involved, with other "papists," in the killing of Collector John Payne, 3 Jan. 1689/90.

3. EDMUND BEAUCHAMP, restored to office by act of the Convention, 4 Sept. 1689; died 26 Sept. 1691.

4. Capt. JOHN WEST, appointed by the Court, 26 Sept. 1691, and confirmed by Secretary Lawrence next year; resigned in 1696/7; was later Naval Officer of Pocomoke.

5. PETER DENT, succeeded West in 1696/7; displaced in 1705 to provide for Hall; died in Feb., 1710/11.

6. ALEXANDER HALL, had married a relative of Gov. Seymour's and had come over to Maryland with him; on 14 Sept. 1704 Seymour got the Assembly's consent to Hall's taking office in spite of a law requiring three years prior residence; he then obtained Hall's appointment to this clerkship in November, 1705. Hall resigned in 1722/3 and died in April, 1735.

7. THOMAS HAYWARD, SR., succeeded Hall about 25 March 1723.

8. THOMAS HAYWARD, JR., gave bond 24 Nov. 1749; succeeded by William Done, 29 Jan. 1793.

i. *Clerk of Dorchester County, 1668.*

1. EDWARD SAVAGE (—), com. 6 May 1669; died in March, 1677/8.
2. *WILLIAM SMITHSON (Cath.), succeeded on death of Savage; resigned in 1681; made Sheriff next year.
3. THOMAS SMITHSON (—), entered office prior to 3 Aug. 1681; died ——— 1687.
4. SAMUEL SMITH, succeeded Smithson prior to 8 Sept. 1687.
5. THOMAS PATTISON, SR., succeeded Smith prior to 20 Aug. 1688; continued by act of the Convention, 4 Sept. 1689.
6. HUGH ECCLESTON, appointed 3 Nov. 1691; died in 1710/11; married an Ennalls.
7. GOVERT LOOCKERMAN, succeeded Eccleston; died in or shortly before May, 1728.
8. CHARLES GOLDSBOROUGH, succeeded Lookerman prior to 22 May 1728; resigned in favor of his brother in Nov., 1738; he also married an Ennalls.
9. HOWES GOLDSBOROUGH, gave bond in Nov., 1738; died 30 March 1746.
10. JOHN CAILE II, succeeded Goldsborough in April, 1746; died 26 April 1767; married an Ennalls, related to Mrs. Eccleston and Mrs. Charles Goldsborough.
11. RICHARD SPRIGG (son-in-law of Caile), com. 9 May 1767; succeeded by Nicholas Hammond in 1777. Sprigg, who was sworn state Chancellor, 21 April 1777, died 24 Nov. 1798.

j. *Clerk of Cecil County, 1674.*

1. EDWARD WILLIAMS (—), com. 18 July 1674 and again 10 July 1675.
2. SWITHIN WELLS, succeeded Williams shortly before 19 Dec. 1676; dismissed 8 Oct. 1681.
3. Col. JOHN THOMPSON, SR., com. 8 Oct. 1681.
4. GEORGE OLDFIELD, appointed prior to 11 July 1686.
5. PHILEMON MORREY, served May Court only, 1687.
6. DANIEL PEARCE, appointed in June, 1687; turned out by the Protestant Associators, 4 Sept. 1689.

7. Col. JOHN THOMPSON, SR., appointed by act of the Convention, 4 Sept. 1689, and com. by Sec. Lawrence prior to 14 Oct. 1692.

8. CHARLES BASS, succeeded Thompson prior to 30 July 1694; dismissed 15 April 1698.

9. DANIEL PEARCE, succeeded Bass in April, 1698; resigned in 1702; died in Dec., 1727.

10. JOHN DOWDALL, succeeded Pearce prior to 3 Sept. 1702. Resigned in 1718 and died in Dec., 1728.

11. STEPHEN KNIGHT, succeeded Dowdall in December, 1718; resigned in favor of his son, 24 May 1733. Died in 1744/5.

12. WILLIAM KNIGHT, succeeded his father, 25 May 1733; resigned 1 April and died 17 April 1746.

13. FRANCIS LEE, took office 1 April 1746; died in September, 1749.

14. MATTHIAS BORDLEY (stepson of Deputy Secretary Edmund Jenings), entered office 1 Oct. 1749; died 15 Sept. 1756.

15. *FRANCIS KEY (Prot., mother Cath.), gave bond 27 Aug. 1756; died in November, 1770.

16. *Col. BENJAMIN YOUNG, JR. (Prot., mother Cath.; brother-in-law of Deputy Secretary Daniel Dulany, Jr.), com. 30 Nov. 1770; succeeded by Baruch Williams in September, 1776.

k. Clerk of Prince George's County, 1695.

1. WILLIAM COOPER, appointed by Governor and Council 3 March 1695/6; sworn 23 April 1696.

2. JOSHUA CECIL, sworn 25 Nov. 1696.

3. EDWARD WILLETT, com. and sworn 23 Aug. 1698. He served as Deputy Clerk under his two successors, Bonner and Dent.

4. HENRY BONNER, sworn 28 Nov. 1699; died in October, 1702.

5. THOMAS DENT, sworn 24 Nov. 1702.

6. EDWARD WILLETT, sworn 28 Jan. 1708/9.

7. ROBERT HALL, succeeded Willett prior to 30 Aug. 1711; died in December, 1719.

8. ALEXANDER CONTEE (cousin of Thomas Dent above), gave bond 30 Nov. 1720; died 24 Dec. 1740.

9. THOMAS LEE (half-nephew of Alexander Contee), gave bond 26 March 1741; died in July, 1749.

10. JOSEPH SIM (brother of Mrs. Thomas Lee and nephew of Mrs. Alexander Contee), sworn 15 July 1749. Resigned in favor of his nephew. Died 27 Nov. 1793.

11. THOMAS SIM LEE (Prot., wife Cath.; son of Thomas Lee and nephew of Joseph Sim), gave bond 24 March 1767; succeeded about January, 1777, by John Reade Magruder, who had married his cousin, Jane Contee, daughter of Alexander Contee. Lee was subsequently twice Governor of Maryland; he died 9 Nov. 1819.

l. *Clerk of Queen Anne's County, 1706.*

1. EVAN THOMAS, entered office prior to 1 July 1707; resigned about June, 1714, and died the following year.

2. JAMES KNOWLES, succeeded Thomas prior to 22 June 1714; gave bond 4 Dec. 1716; resigned in June, 1728, and died in 1729/30.

3. *Col. RICHARD TILGHMAN III (Prot., wife's mother Cath.), gave bond 26 June 1728, resigned in favor of his son, November, 1763; died 9 Sept. 1766.

4. *Col. RICHARD TILGHMAN IV, gave bond 22 Nov. 1763; succeeded by Solomon Wright in November, 1777. Tilghman died in 1810.

m. *Clerk of Worcester County, 1742.*

1. ROBERT KING III, gave bond 8 June 1743; died in April, 1752.

2. HENRY JOHNSON, gave bond 6 June 1752; succeeded in April, 1777, by Robert Dennis, as Clerk pro tem, who in June gave place to John Done.

n. *Clerk of Frederick County, 1748.*

1. *JOHN DARNALL (Prot. convert; wife and family Cath.), appointed just before 14 Dec. 1748; died 29 Jan. 1768.

2. Capt. THOMAS SPRIGG, gave bond 11 Feb. 1768; resigned in 1772; died 10 July 1810.

3. BENJAMIN DULANY (son of Deputy Secretary Daniel Dulany, Jr.), gave bond 15 Jan. and com. 29 April 1773; succeeded in May, 1777, by Richard Potts; died in 1816.

o. Clerk of Caroline County, 1773.

1. GEORGE FITZHUGH, gave bond 15 March 1774; succeeded by William Richardson in 1777. He was an intimate friend of Lt. Gov. Eden's.

p. Clerk of Harford County, 1773.

1. *ALEXANDER LAWSON, JR. (cousin of Deputy Secretary Daniel Dulany, Jr.), gave bond 22 March 1774; succeeded on 1 July 1776 by John Lee Gibson. Lawson was also Clerk of Baltimore County until May, 1777. He died 11 Sept. 1798.

THE PROVINCIAL REVENUE ESTABLISHMENT

1. PUBLIC TREASURERS.

During the earlier proprietary period (1634-89) such provincial (as distinguished from proprietary) funds as were raised were taken and disbursed by Lord Baltimore's Agent and Receiver General. When the proprietor was deprived of the government, a separate custodian of provincial funds became necessary. The two Treasurerships, thus established in 1694, were continued under the Constitution of 1776.

a. Treasurer of the Western Shore.

1. Capt. THOMAS TASKER of Calvert County (Prot., wife prob. Cath.), proposed by Lower House, 30 May 1692; placed in office by act of October, 1694, chap. 19.

2. ROBERT MASON of St. Mary's County (Prot.), appointed by resolution of Lower House, 17 Oct. 1695; suspended by Governor and Council shortly before 5 Nov. 1698; restored by same, 7 July 1699; discharged because he lived so far from Annapolis, 2 May 1700.

3. Col. SAMUEL YOUNG of Anne Arundel County (Prot.), appointed by Lower House with consent of the Governor and Upper House, 2 May 1700; died in office, June, 1736.

4. Col. CHARLES HAMMOND of Anne Arundel County (Prot.), com. by Lt. Gov. Ogle, 23 Oct. 1736, and again by Lt. Gov. Bladen, 29 Sept. 1742; died in office, 13 Sept. 1772. The Lower House in May, 1737, chose a committee to investigate the former manner of appointing Treasurers; but it took no action on the report.

5. *Col. WILLIAM FITZHUGH of Calvert County (Prot., wife's mother Cath.), com. by Lt. Gov. Eden, 28 Sept. 1772, and again 29 April 1773. His successor, Thomas Harwood, Jr. of Annapolis, was appointed by the Convention, 14 Aug. 1775. Fitzhugh died in 1798.

b. *Treasurer of the Eastern Shore.*

1. Col. WILLIAM WHITTINGTON of Somerset County (Prot.), appointed by act of October, 1694, chap. 19. Dr. John Brookes of Dorchester County had been proposed by the Lower House, 30 May 1692, but he had died in March, 1692/3, before any appointment was made.

2. Maj. THOMAS SMITHSON of Talbot County (Prot.), appointed by resolution of the Lower House, 17 Oct. 1695; died in office about March, 1713/4.

3. ROBERT UNGLE of Talbot County (Prot.), proposed by Lower House and approved by Lt. Governor and Upper House, 3 July 1714; died in office in 1727.

4. Col. JAMES HOLLYDAY of Queen Anne's County (Prot.), proposed by Lower House and approved by Lt. Governor and Upper House, 28 Oct. 1727; died in office, 8 Oct. 1747.

5. Col. EDWARD LLOYD of Wye House, Talbot County (Prot., stepson of James Hollyday), appointed by Lt. Gov. Ogle to succeed Hollyday about October, 1747. The Lower House in June, 1748, protested without effect this alleged invasion of their rights. Resigned in 1766.

6. JOHN LEEDS of Talbot County (Prot.), com. by Lt. Gov. Sharpe, 29 Sept. 1766; resigned when appointed Naval Officer of Pocomoke, 14 Oct. 1766.

7. BEDINGFIELD HANDS of Kent County (Prot.), com. by Lt. Gov. Sharpe, 14 Oct. 1766; died in office in September, 1769.

8. WILLIAM HEMSLEY, JR. of Queen Anne's County (Prot.), com. by Lt. Gov. Eden, 23 Nov. 1769, and again 29 April 1773. His successor, William Hindman, was appointed by the Convention, 14 Aug. 1775. Hemsley died 5 June 1812.

2. PROVINCIAL NAVAL OFFICERS.

These offices were continued under the Constitution of 1776; appointment was by the Governor. Eight Naval Officers were appointed in April, 1777.

a. *Naval Officer of Patuxent.*

1. Maj. SAMUEL BOURNE of Calvert County (Prot.), appointed by act of 4 Sept. 1689; soon resigned.

2. ANDREW ABINGTON of Calvert County (Prot.), succeeded Bourne, but died in November, 1691.

3. Col. GEORGE PLATER I of St. Mary's County (Prot.), succeeded Abington; gave bond 17 Oct. 1693.

4. THOMAS BRISCOE of Calvert County (Prot., dependent of Secretary Lawrence), com. and sworn 10 Nov. 1694; died in August, 1695.

5. SAMUEL WATKINS of Anne Arundel County (Prot.; m. widow of Andrew Abington above), com. and sworn 20 Aug. 1695; dismissed 21 Oct. 1698.

6. Col. GEORGE PLATER I, com. and sworn 22 Oct. 1698; died in October, 1707.

7. Col. JOHN ROUSBY II of Calvert County (Prot., mother prob. Cath.), appointed to succeed Plater, whose widow he married, 22 Dec. 1707; resigned to be Collector of Patuxent in midsummer, 1717.

8. THOMAS MACNEMARA of Annapolis (Prot. convert, wife Cath.), succeeded Rousby in midsummer, 1717; died in office in or shortly before April, 1720.

9. Col. WILLIAM HOLLAND of Anne Arundel County (Prot.), succeeded Macnemara; resigned after appointed joint Commissary General.

10. THOMAS HUMPHREYS of ——— County (Prot., His Lordship's very dear friend), succeeded Holland shortly before 9 Oct. 1722; resigned prior to Oct., 1727.

11. *JOHN ROSS of Annapolis (Prot.), succeeded Humphreys prior to 9 Oct. 1727; resigned after appointed Clerk of the Council.

12. Col. GEORGE PLATER II of St. Mary's County (Prot.), appointed to succeed Ross in May, 1729; recom. 25 July 1733 and 29 Sept. 1742; died 17 May 1755.

13. *HENRY DARNALL III of Prince George's County (Prot. convert, wife and children Cath.), sworn 24 May 1755; dismissed 27 April 1761; left the province; died after 1788.

14. *JOHN ROSS, again sworn in, served from April, 1761, to 18 June 1765. As he had other lucrative offices, Ross was required to render all profits of this one to Lord Baltimore and to Lt. Gov. Sharpe to recompense them for losses. This was accomplished by January, 1765.

15. WALTER DULANY of Annapolis (Prot., brother of Daniel Dulany, Jr.), com. 18 June 1765; resigned when appointed Commissary General, 15 July 1767.

16. *GEORGE PLATER III of St. Mary's County (Prot.), com. 1 Aug. 1767; recom. 28 Aug. 1769 and 29 April 1773. Removed in April, 1777. He became Governor of Maryland in 1791, but he died the following year, 10 Feb. 1792.

b. *Naval Officer of North Potomac.*

1. Capt. JOHN COODE of St. Mary's County (Prot. convert, former wife Cath.), appointed by act of 4 Sept. 1689; left for England in August, 1690.

2. SAMUEL COOKSEY of Charles County (Prot.), succeeded Coode in August, 1690.

3. PHILIP CLARKE of St. Mary's County (Prot.) and Maj. WILLIAM DENT of Charles County (Prot.), com. and sworn 19 Nov. 1694, Clarke for the Lower Potomac (Point Lookout up to Portobacco), Dent for the "upper Parts of Charles County."

4. Maj. WILLIAM DENT, com. for all North Potomac District, 12 Oct. 1696; died in November, 1704.

5. JOHN ROGERS of Charles County (Prot.), apparently succeeded Dent about November, 1704; resigned in 1711 about a year after his appointment as Clerk of Charles County. His wife was a stepdaughter of Col. John Contee, who in 1704 had married Gov. Seymour's cousin.

6. JOHN PHELPS of Somerset County (Prot.), succeeded Rogers about October, 1711; died in midsummer, 1718.

7. Capt. JOHN YOUNG of Annapolis (Prot.), succeeded Phelps in midsummer, 1718.

8. PHILIP LEE of Prince George's County (Prot., wife Prot. convert), succeeded Young about October, 1727; recom. 25 July 1733 and 29 Sept. 1742; died in April, 1744.

9. RICHARD LEE of Charles County (Prot., eldest son of Philip), succeeded on his father's death; recom. 28 Aug. 1769 and 29 April 1773; resigned in favor of his son in May, 1774, when he became President of the Council. Died 26 Jan. 1787.

10. PHILIP THOMAS LEE of Annapolis (Prot., second son of Richard), com. 20 May 1774; removed in April, 1777; died 28 Nov. 1778.

c. Naval Officer of Pocomoke.

1. Maj. ROBERT KING I of Somerset County (Prot.), appointed by act of 4 Sept. 1689; died 7 June 1697.

2. Capt. JOHN WEST of Somerset County (Prot.), com. 11 June 1697; resigned when appointed Sheriff next year.

3. JOHN BOZMAN of Somerset County (Prot.), com. 2 Sept. and sworn 5 Sept. 1698; displaced to provide for Contee.

4. Col. JOHN CONTEE of Charles County (Prot.), appointed about 1705 by Gov. Seymour, whose cousin he had just married; died 3 Aug. 1708.

5. Col. ARNOLD ELZEY of Somerset County (Prot.), succeeded on death of Contee; died in April, 1733.

6. Col. LEVIN GALE of Somerset County (Prot.), gave bond 12 April 1733; recom. 25 July 1733; resigned in 1740, after being appointed Judge of the Land Office.

7. SAMUEL CHAMBERLAINE, SR., of Talbot County (Prot.), com. 18 Oct. 1740 and again 14 Oct. 1742. After 1750 Chamberlaine was merely the nominal incumbent, for he was required to render all profits to *DAVID GRAHAM of Queen Anne's County (Prot.). Graham had married Lord Baltimore's cousin, Charlotte Hyde, and was "sent over to be provided for." In May, 1754, dissatisfied with the provision made for him, Graham embarked for England to complain in person. He died at sea.

8. *CHARLES GRAHAM of Calvert County (Prot., brother of David Graham), appointed on Mrs. Charlotte Graham's return to Maryland, September, 1754, that he might provide for her support; displaced after she married (in May, 1755) Col. Benjamin Young, Jr.

9. *Col. BENJAMIN YOUNG, JR. of Baltimore County (Prot., mother Cath.), married Mrs. Graham and thereby obtained this Naval Office about November, 1755, pursuant to His Lordship's instructions of 22 Aug. 1755. On his wife's death, in 1757, he fortified his position by marrying Daniel Dulany's sister Mary. He embezzled some of the money, and he was found out on 27 April 1761. Walter Dulany replaced the sum taken, the affair was hushed up, and Young was dismissed "for neglect" in March, 1762. He retained his other office and three years later became Clerk of St. Mary's County.

10. Col. ROBERT JENKINS HENRY of Somerset County (Prot., grandson of Maj. Robert King above), com. about March, 1762; died in October, 1766.

11. JOHN LEEDS of Talbot County (Prot.), com. 14 Oct. 1766; recom. 28 Aug. 1769 and 29 April 1773; resigned in favor of his son-in-law, September, 1775; died in 1790.

12. *WILLIAM THOMAS III of Talbot County (Prot.), com. to succeed his father-in-law, 29 Sept. 1775. Removed in April, 1777. He died in 1790.

d. *Naval Officer of Annapolis.*

1. Capt. RICHARD HILL of Anne Arundel County (Prot.), com. by Gov. Nicholson, 18 Oct. 1694; dismissed 20 July 1696.

2. HENRY DENTON of Annapolis (Prot.), succeeded Hill; gave bond 10 Oct. 1696; died in April, 1698.

3. EDWARD BATSON of Calvert County (Prot.), com. and sworn 30 June 1698; resigned shortly thereafter.

4. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), com. 22 March 1698/9; resigned in favor of Steele just before his death.

5. JOHN STEELE of Annapolis (Prot.). By act of 10 May 1718 Steele was exempted from a law requiring three years prior resi-

dence for office holders, because he had been recommended to Lt. Gov. Hart "by Gentⁿ of worth and Honour who by their Stations under his most Sacred Majesty are in a Capacity of doing particular Services to this province. . . ." He was then appointed to this Naval Office, but he resigned or died within a year.

6. BENJAMIN TASKER, SR. of Annapolis (Prot., wife's mother Cath., son-in-law of William Bladen above), succeeded Steele prior to 23 May 1719; recom. 25 July 1733; resigned in favor of his son in September, 1742.

7. Col. BENJAMIN TASKER, JR., of Annapolis (Prot.), com. 29 Sept. 1742; resigned to be Deputy Secretary in December, 1755.

8. STEPHEN BORDLEY of Annapolis (Prot.), com. in December, 1755; resigned to be sole Commissary General in March, 1762.

9. JOHN RIDOUT of Annapolis (Prot., Lt. Gov. Sharpe's protégé; nephew of B. Tasker, Jr. above), com. in March, 1762; recom. 28 Aug. 1769 and 29 April 1773. Removed in April, 1777. Died 6 Oct. 1797.

e. Naval Officer of Oxford.

1. Maj. THOMAS SMITHSON of Talbot County (Prot.), appointed by Gov. Nicholson, 18 Oct. 1694; resigned to be Treasurer of the Eastern Shore.

2. THOMAS COLLIER of Talbot County (Prot.), com. 20 May and sworn 29 Aug. 1695; dismissed 24 Dec. 1697 but was apparently reappointed under a new commission, 30 Dec. 1697; died in 1719.

3. ROBERT UNGLE of Talbot County (Prot.), appointed on Collier's death; died in office, ——— 1727.

4. MICHAEL HOWARD of Talbot County (Prot.), appointed prob. in 1727, recom. 25 July 1733; died in August, 1737.

5. Col. JAMES HOLLYDAY of Queen Anne's County (Prot.), com. 23 Aug. 1737; recom. 29 Sept. 1742; died 8 Oct. 1747.

6. Col. EDWARD LLOYD of Wye House, Talbot County (Prot., stepson of Hollyday), prob. succeeded Hollyday in November, 1747; resigned in favor of his cousin Chamberlaine after he had been appointed Agent and Receiver General.

7. SAMUEL CHAMBERLAINE, SR. of Talbot County (Prot.), appointed by Lt. Gov. Sharpe a little before 3 May 1754; permitted to resign in favor of his son, Oct., 1768; died 30 April 1773.

8. SAMUEL CHAMBERLAINE, JR. of Talbot County (Prot.), com. 18 Oct. 1768; recom. 28 Aug. 1769 and 29 April 1773; removed in April, 1777; died 30 May 1811.

f. Naval Officer of Cecil County.

1. Col. WILLIAM PEARCE of Kent County (Prot.), appointed by Gov. Nicholson, 18 Oct. 1694; resigned next year.

2. Col. JOHN THOMPSON, SR. of Cecil County (Prot.), appointed 17 May and sworn 22 May 1695; dismissed 23 July and restored 20 Oct. 1695; died in office in Dec., 1701.

3. MATTHIAS VANDERHEYDEN of Cecil County (Prot.), succeeded his brother-in-law, Col. Thompson; resigned in 1711; died in May, 1729.

4. STEPHEN KNIGHT of Cecil County (Prot.), took office prior to 27 Oct. 1711; resigned in August, 1733.

5. Capt. WILLIAM RUMSEY of Cecil County (Prot.), com. 4 Aug. 1733; died about Feb., 1742/3.

6. Col. JOHN VEAZEY of Cecil County (Prot.), com. 8 Dec. 1743; office discontinued prior to 1754. Col. Veazey died in 1777.

3a. COMMISSIONERS OF THE PAPER CURRENCY OFFICE.

Under the Currency Act of April, 1733 (chap. 6), which expired in April, 1766, there were three Commissioners. Under the act of December, 1766 (chap. 26) there were but two. The Constitution of 1776 continued this office but provided for appointment by the House of Delegates instead of by the Governor. The Commissioners appointed their own clerk.

a. Under Act of April, 1733.

[BENJAMIN TASKER, SR., ROBERT GORDON, and JOHN BEALE were appointed "for the time being" prior to 17 Dec. 1733.]

ROBERT GORDON of Annapolis, com. before 17 Dec. 1733, Col. CHARLES HAMMOND of Anne Arundel County, com. 29 Jan.

1733/4, and RICHARD FRANCIS of Anne Arundel County, com. 20 April 1734, all Protestants. Hammond was recommissioned 29 Sept. 1742 and served until the act expired, 30 April 1766. Francis removed to Philadelphia in September, 1738, and was succeeded by *BENJAMIN YOUNG, SR. of Prince George's County (Prot., wife Cath.), com. 29 Sept. 1738. Young resigned and was in turn succeeded by *Dr. GEORGE STEUART of Annapolis (Prot., wife Cath.), com. 13 Dec. 1746, who served until the act expired. Gordon died in office, 9 Sept. 1753, and was succeeded by JOHN BULLEN of Annapolis (Prot.), com. shortly before 20 Sept. 1753. Bullen died 12 March 1764. His successor, JOHN BRICE II of Annapolis (Prot.), com. just before 31 May 1764, served until the act expired, 30 April 1766.

b. *Under Act of December, 1766.*

JOHN CLAPHAM and ROBERT COUDEN, both of Annapolis (Protestants), com. jointly, 22 Dec. 1766 and recommissioned 21 Dec. 1769. Couden, who resigned, was succeeded by WILLIAM EDDIS of Annapolis (Prot.), com. 22 Sept. 1772 and again (with Clapham) 29 April 1773. Eddis and Clapham wound up the business of their office and were honorably discharged on 31 May 1777. Both returned to England.

3b. CLERK OF THE PAPER CURRENCY OFFICE.

a. *Under Act of April, 1733.*

1. MICHAEL MACNEMARA of Annapolis (Prot., mother Cath.), com. in or prior to April, 1734; resigned prior to 23 April 1739.
2. WILLIAM GHISELIN of Annapolis (Prot.), succeeded Macnemara prior to 23 April 1739; died in October, 1743.
3. RICHARD DORSEY of Annapolis (Prot.), appointed 2 Nov. 1743; died 2 Sept. 1760.
4. ROBERT COUDEN of Annapolis (Prot.), appointed 2 Sept. 1760; authority terminated by law, 30 April 1766. Died 9 Jan. 1792.

b. *Under Act of December, 1766.*

1. JAMES BROOKS of Annapolis (Prot.), gave bond 24 Sept. 1766; still in office in 1777.

THE PROPRIETARY REVENUE ESTABLISHMENT

1. HIS LORDSHIP'S AGENT AND RECEIVER GENERAL.

This office was separated from that of Principal Secretary in 1651. With the collapse of proprietary government in 1776 the Agency ceased to function. By an act of January, 1782, the Treasurer of the Western Shore was directed to carry on those duties in land affairs formerly executed by the Agent, viz: receiving money for vacant lands and issuing orders for common or special warrants to the Registers of the Land Office.

1. JOB CHANDLER of Charles County (Prot.), com. as "Receiver General," 1 Aug. 1651; died in office in April, 1659.

2. *Hon. PHILIP CALVERT of St. Mary's City (Cath., Lord Baltimore's half-brother), as Secretary succeeded Chandler in the office of "Treasurer and Receiver General" in April, 1659; took office as Lieutenant General, 11 Dec. 1660.

3. *Hon. CHARLES CALVERT of St. Mary's County (Cath., His Lordship's son and heir) became "Receiver General" when his uncle Philip Calvert became Lieutenant General, December. 1660; became Lieutenant General himself, 14 Sept. 1661; proclaimed his succession to the title of Baron Baltimore, 4 March 1675/6. Thomas Notley acted as his attorney.

4. THOMAS NOTLEY of St. Mary's City (Cath.) and *Col. BENJAMIN ROZER of Charles County (Prot., wife Cath.), com. jointly by Charles Calvert, now Lord Baltimore and about to leave the province, 13 June 1676; superseded on Baltimore's return. Notley died in April, 1679, and Rozer in June, 1681.

5. *Rt. Hon. CHARLES CALVERT, LORD BALTIMORE (Cath.), probably acted as his own Receiver from his return to Maryland, shortly before 8 Jan. 1678/9, until his departure for England in May, 1684.

6. *Col. HENRY DARNALL I of Prince George's County (Cath.), com. 8 May 1684; recom. with powers similar to those of the late Land Council, 30 Dec. 1695; died in office, 17 June 1711. He was also Keeper of His Lordship's Great Seal, after 1685, and Rent Roll Keeper from 1 Aug. 1689 to 1699.

7. *CHARLES CARROLL of Anne Arundel County (Cath., son-in-law of Darnall), who had been appointed Attorney General in 1688 and Register of the Land Office in 1694, succeeded on the death of Col. Darnall to the offices of Receiver General and Keeper of His Lordship's Great Seal; com. and instructed in this capacity, 12 Sept. 1712. On restoration of proprietary government he yielded the seal to Lt. Gov. Hart, 27 Dec. 1715, and the Attorney General's place to William Bladen, 1 May 1716. By commission of 24 March 1715/6 he was continued Agent and Receiver General with enlarged powers, but so vehement were the protests of Hart and other Protestants that Baltimore was persuaded to revoke this appointment, 20 Feb. 1716/7. Carroll died 20 July 1720.

8. *HENRY LOWE, JR. of St. Mary's County (Prot., mother and sisters Cath.), com. 20 Feb. 1716/7; died in office in 1721.

9. *BENNETT LOWE of St. Mary's County (Prot., brother of Henry), com. 12 March 1721/2; died in office about November, 1722.

10. *NICHOLAS LOWE of St. Mary's County (Prot., brother of Henry and Bennett), com. 5 Dec. 1722; died in office in December, 1728.

11. Col. MATTHEW TILGHMAN WARD of Talbot County (Prot., wife's mother Cath.), gave bond 23 April 1729; com. 30 Jan. 1729/30; asked permission to resign in 1733.

12. DANIEL DULANY, SR. of Annapolis (Prot.), com. 29 Sept. 1733; resigned on being appointed sole Commissary General, Nov., 1734.

13. BENJAMIN TASKER, SR. of Annapolis (Prot., mother prob. Cath.; wife's mother Cath.; father-in-law of Lt. Gov. Ogle and brother-in-law of Lt. Gov. Bladen), com. 12 Nov. 1734 and again 18 Nov. 1742; resigned in 1753. He was a correspondent of the Hanburys of London.

14. Col. EDWARD LLOYD of Wye House, Talbot County (Prot., nephew of Col. M. T. Ward and cousin of Mrs. Daniel Dulany, Sr.), com. 30 March and sworn 11 Oct. 1753. A correspondent of the Hanburys of London, and the greatest merchant in the province, Lloyd was too busy to do his job properly and too important to offend. Often behind in his accounts, he was finally persuaded to resign in March, 1768. He died 27 Jan. 1770.

15. Rev. BENNET ALLEN, rector of St. James Parish, Anne Arundel County, com. and sworn 26 March 1768; dismissed at request of the Board of Revenue, 25 Nov. 1768. A drinking, brawling, and fox hunting parson, who had won His Lordship's favor by defending him in a charge of rape, Allen proved an incompetent administrator and a political nuisance.

16. Maj. DANIEL OF ST. THOMAS JENIFER of Annapolis (Prot.), com. by Lt. Gov. Sharpe, 25 Nov. 1768; superseded by Jordan.

17. JOHN MORTON JORDAN of Annapolis (Prot.), com. by Baltimore, 14 Aug. 1769; entered office early in December; resigned shortly before his death on 23 July 1771. He was a former Virginia merchant who, with the aid of a pretty wife, had gained the favor of the Proprietary.

18. Maj. DANIEL OF ST. THOMAS JENIFER, com. by Lt. Gov. Eden, 9 Sept. 1771 and again by Henry Harford, 29 April 1773. He was chosen President of the Council of Safety in 1775 and President of the state Senate in 1777, represented Maryland in the Continental Congress, 1778-82, and in the Federal Convention of 1787. Maj. Jenifer died 16 Nov. 1790.

2a. JUDGES OF THE LAND OFFICE.

This office dates from Deputy Secretary Philemon Lloyd's assumption of the title on or shortly before 13 June 1717; it was separated from that of Deputy Secretary at the appointment of Col. Levin Gale, 16 Dec. 1738. The Constitution of 1776 made no provision for this place, and the then remaining Judge, Benedict Calvert, surrendered his papers to St. George Peale, lately appointed Register of the Land Office for the Western Shore, on 13 May 1777. An act of 22 Jan. 1782 made the state Chancellor the Judge of the Land Office.

1. Col. LEVIN GALE of Somerset County (Prot.), com. 16 Dec. 1738 (the office being at this date separated from that of Deputy Secretary) and again 15 Oct. 1742; died in office in March, 1743/4.

2. PHILIP THOMAS of Anne Arundel County (Prot.), com. 15 March 1743/4; resigned, or was perhaps displaced to provide for Tasker and Young.

3. BENJAMIN TASKER, SR. of Annapolis (Prot., mother probably Cath., wife's mother Cath.; father-in-law of Lt. Gov. Ogle the brother-in-law of Lt. Gov. Bladen) and *BENJAMIN YOUNG, SR. of Prince George's County (Prot., wife Cath.), gave bond 17 May 1746; Tasker resigned the following year.

4. *BENJAMIN YOUNG, SR. and *Dr. GEORGE STEUART of Annapolis (Prot., wife Cath.), gave bond 13 July 1747 and again 4 Oct. 1751. Young died of gout, 8 Feb. 1754. Steuart was actually an assistant, transacting the business of the office for a third of the profits.

5. *Dr. GEORGE STEUART remained sole Judge from Young's death until the appointment of Calvert; he took all profits during this year.

6. *Dr. GEORGE STEUART and *BENEDICT CALVERT of Prince George's County (Prot., natural son of Charles, 5th Lord Baltimore) com. jointly, 5 March 1755 and again 29 April 1773. Steuart returned to Scotland in 1775 and there died in 1799; Calvert surrendered the office to St. George Peale, Register of the Land Office for the Western Shore, 13 May 1777. He died 9 Jan. 1788.

2b. CLERK OR REGISTER OF THE LAND OFFICE.

This clerk was appointed by the Agent and Receiver General from 1683 to 1717 and thereafter by the Judge or Judges of the Land Office. The Constitution of 1776 provided for two Registers, one for each shore, to be appointed by the Governor.

1. JOHN LLEWELLIN of St. Mary's City (Prot.), com. "Clerk and Register of the Land Office," 19 April 1680; received land records from Nicholas Painter, Clerk of the Secretary's Office, 5 May 1680.

2. JAMES CULLEN of St. Mary's City (—), succeeded Llewelin in June, 1683; probably served until 18 April 1689 when the Land Office was closed. The Convention of September, 1689, entrusted the land records to John Llewelin. On 14 Oct. 1692 the Governor and Council ordered Llewelin to deliver them to Secretary Lawrence.

3. *CHARLES CARROLL of Anne Arundel County (Cath.), was probably appointed by his father-in-law, Col. Henry Darnall I,

when the Land Office was reopened, 23 May 1694; on Darnall's death, 17 June 1711, the office was again closed; Carroll then succeeded to Darnall's offices, as Agent and Receiver and Keeper of His Lordship's Great Seal.

4. JOHN MANLEY of ——— County (——), probably appointed by Carroll when he reopened the office, 2 March 1712/3; was still in office, 16 April 1716.

5. EDWARD GRIFFITH of Annapolis (Prot.), com. by Deputy Secretary Lloyd, in his newly assumed capacity as Judge of the Land Office, 13 June 1717; resigned in 1723, about a year before his death.

6. JOHN LAWSON of Annapolis (Prot.), com. by Judge Lloyd, 26 July 1723. Resigned in 1733; died in 1739.

7. GRIFFITH BEDDOE of Annapolis (Prot.), com. by Edmund Jenings, 23 Aug. 1733. Resigned in 1740/1; died in 1742.

8. WILLIAM GHISELIN of Annapolis (Prot.), com. by Levin Gale, 20 March 1740/1 and sworn 17 May 1741; died in October, 1743.

9. THOMAS JENNINGS of Annapolis (Prot.), com. by Levin Gale, 14 Nov. and sworn 16 Nov. 1743; died in office, 26 Aug. 1759.

10. WILLIAM STEWART of Annapolis (Prot., brother of Dr. George Steuart, Judge of the Land Office), com. 8 Sept. and sworn 10 Sept. 1759; died in office in Sept., 1774.

11. *DAVID STEUART of Annapolis (Prot., mother Cath.; son of Judge George Steuart of the Land Office), com. and sworn 14 Oct. 1774. Surrendered his office 13 May 1777; died in 1814. In April, 1777, St. George Peale of Annapolis and Vachel Downes of Queen Anne's County were appointed Registers of the Land Office for the Western and Eastern Shores respectively.

3. SURVEYORS GENERAL.

The Surveyorship was separated from the office of Secretary in 1641/2. After 1697, except for brief intervals (1711-16 and 1716/7-17) there were two Surveyors General, one for each shore. The Constitution of 1776 made no provision for this office and assigned its functions, such as they were, to the Governor and

Council. After 1716/7, except for brief intervals (1727-34, 1746-48, 1768-71, and 1774-76), the Lieutenant Governor, or in his absence the President of the Council, held one or the other of the two Surveyorships.

a. *Surveyor General of Both Shores.*

1. JOHN LANGFORD of Kent County (Cath.?) appointed for life and empowered to appoint deputies, 24 March 1641/2. (The only other life appointment was that of Thomas Beake as Principal Secretary.) Langford however left the province in 1648 and had thereafter a saddle of £10 a year paid by his successors.

2. ROBERT CLARKE of St. Mary's City (Cath.), com. during pleasure, 12 Aug 1648; he had served as sole Deputy Surveyor since 7 Jan. 1639/40. Resigned in 1661; died in July, 1664.

3. JEROME WHITE of St. Mary's City (Cath.?), com. 9 Sept. 1661 and again 16 Feb. 1665/6; returned to England in December, 1670.

4. *BAKER BROOKE of Calvert County (Cath.), com. and sworn 31 March 1671; recom. 1 Aug. 1671, 3 Aug. 1674, 10 April 1676, and 17 June 1676; died in office in March, 1678/9.

5. *Col. VINCENT LOWE of Talbot County (Cath.), com. 27 March 1679; displaced to provide for Col. Talbot.

6. *Col. GEORGE TALBOT of Cecil County and of Castle Ruby, County Roscommon (Cath.), com. and sworn 8 Nov. 1683. He murdered Collector Christopher Rousby on 31 Oct. 1684, and fled the province, whereupon this office reverted to the Board of Deputy Governors.

7. *Col. VINCENT LOWE, restored to office by com. of 12 Aug. and sworn 28 Nov. 1685; died about Sept., 1692.

8. *Capt. RICHARD SMITH, JR. of Calvert County (Prot., wives prob. Cath.), com. by Baltimore prior to 14 Oct. 1693 when Gov. Copley refused to recognize his authority; remained in office until 7 Dec. 1697 when the appointment of Hill limited his jurisdiction to the Eastern Shore.

b. *Surveyor General of the Western Shore.*

1. *CLEMENT HILL, JR. of Prince George's County (Cath., son-in-law of Agent Henry Darnall), com. 7 Dec. 1697; ap-

parently his commission became void with the death of Agent Darnall, 17 June 1711. He died 23 June 1743.

2. *CHARLES CARROLL of Anne Arundel County (Cath.; son-in-law of Agent Darnall and brother-in-law of Hill); as Agent and Receiver General he began acting as Surveyor General for Both Shores prior to 12 Sept. 1712.

3. *WALTER PYE of Charles County (Cath.), appointed shortly before 20 July 1716 when Lt. Gov. Hart refused to recognize his commission because of his religion.

4. Lt. Gov. JOHN HART (Prot.), com. by Baltimore and Guilford as Surveyor General for Both Shores, 11 Oct. 1716, took office 11 Jan. 1716/7.

5. THOMAS BORDLEY of Annapolis (Prot.), com. by Hart as Surveyor General for the Western Shore, 20 May and sworn 8 July 1717; resigned after his appointments as Commissary General and Attorney General.

6. Col. THOMAS ADDISON of Prince George's County (Prot.), succeeded Bordley about Sept., 1718; apparently removed by Lt. Gov. Calvert in June, 1726, about a year before his death.

7. *Lt. Gov. CHARLES CALVERT (Prot.), exchanged the Eastern for the Western Surveyorship about June, 1726; ceased to be Lieutenant Governor, 3 July 1727; recom. and resworn as Surveyor General, 14 Aug. 1731; died in office, 2 Feb. 1733/4.

8. Lt. Gov. SAMUEL OGLE (Prot.), assumed this office on Calvert's death. Superseded by Bladen.

9. *Lt. Gov. THOMAS BLADEN (Prot., mother Cath.), assumed the Surveyorship by virtue of his office as Lieutenant Governor, 23 Aug. 1742.

10. JOSHUA GEORGE of Cecil County (Prot.), com. by Lt. Gov. Bladen, 13 Dec. 1746; superseded by Lt. Gov. Ogle.

11. Lt. Gov. SAMUEL OGLE, sworn Surveyor General, 14 Dec. 1748; died in office, 3 May 1752.

12. BENJAMIN TASKER, SR. of Annapolis (Prot., mother probably Cath., wife's mother Cath.), as President of the Council was acting Surveyor General of the Western Shore from Ogle's death until Sharpe's arrival.

13. Lt. Gov. HORATIO SHARPE (Prot.), arrived 10 Aug. 1753; until December, 1760, he allowed the profits of this office to his private secretary, JOHN RIDOUT.

14. GEORGE LEE of Charles County (Prot., mother Prot. convert), appointed by Baltimore, to Sharpe's no small annoyance, shortly before 16 Aug.; entered office 28 Nov. 1768. He owed his appointment to the circumstance that he had been a factor of John Morton Jordan's, and Jordan (or perhaps Jordan's wife) had acquired Lord Baltimore's confidence. When Jordan died, Lee was displaced.

15. *Lt. Gov. ROBERT EDEN (Prot.), arrived 5 June 1769 and assumed the Surveyorship late in 1771, displacing Lee whom he made Sheriff of Charles County.

16. ROBERT SMITH of Annapolis (Prot.), com. by Lt. Gov. Eden, then about to leave the province, 28 May 1774; in Nov., 1776, his office was abolished.

c. Surveyor General of the Eastern Shore.

1. *Capt. RICHARD SMITH, JR. of Calvert County (Prot., wife prob. Cath.), formerly Surveyor General of Both Shores; his authority was limited to the Eastern by the appointment of Clement Hill, Jr. on the Western Shore, 7 Dec. 1697. Succeeded by Heath in 1698; died in 1714.

2. JAMES HEATH of Anne Arundel County (Cath.), com. 23 Aug. 1698. Resigned in 1701 after becoming a Copartner in Farming the Quit-Rents. He died in Jan., 1731/2.

3. *EDWARD DIGGES of Charles County (Cath., son-in-law of Agent Henry Darnall), appointed 26 June 1701; apparently his commission expired with the death of Darnall, 17 June 1711. He died in April, 1714.

4. *CHARLES CARROLL of Anne Arundel County (Cath.; son-in-law of Agent Darnall and brother-in-law of Digges), as Agent and Receiver General he began acting as Surveyor General for Both Shores prior to 12 Sept. 1712.

5. *HENRY SEWALL (son of Nicholas) of St. Mary's County (Cath.), com. shortly before 20 July 1716 when Lt. Gov. Hart refused to recognize his commission because of his religion.

6. Lt. Gov. JOHN HART (Prot.), appointed by Baltimore and Guilford as Surveyor General for Both Shores, 11 Oct. 1716; took office 11 Jan. 1716/7; he relinquished the Western Shore Surveyorship, 20 May 1717, but retained that of the Eastern Shore until his return to England in May, 1720.

7. Col. THOMAS BROOKE II of Prince George's County (Prot. convert, 3 of his brothers Jesuits, half brother of Mrs. Charles Carroll), as President of the Council he was acting Surveyor General of the Eastern Shore from Hart's departure until Calvert's arrival.

8. *Lt. Gov. CHARLES CALVERT (Prot.), arrived shortly before October, 1720, and at once assumed this Surveyorship; in June, 1726, he exchanged it for the more lucrative Western Shore Surveyorship.

9. MICHAEL HOWARD of Talbot County (Prot.), appointed by Calvert shortly before 10 June 1726; died in office in August, 1737.

10. Col. JAMES HARRIS of Kent County (Prot.), com. 23 Aug. 1737 and again 29 Sept. 1742; died in office in Nov., 1743.

11. *BENJAMIN YOUNG, SR., of Prince George's County (Prot., wife Cath.), com. 30 Sept. 1745; resigned in 1747 after he was appointed a Judge of the Land Office.

12. Col. BENJAMIN TASKER, JR., of Annapolis (Prot., brother-in-law of Lt. Gov. Ogle), appointed shortly before 10 Oct. 1747. He was merely a nominal incumbent, for he paid all profits first to *DAVID GRAHAM (who had married Baltimore's cousin Charlotte Hyde) and after his death, about June, 1754, to Mrs. Graham's brother-in-law, *CHARLES GRAHAM of Calvert County, who supported her.

13. *Col. BENJAMIN YOUNG, JR., of Baltimore County (Prot., mother Cath.), appointed early in May, 1755; recom. 29 April 1773; in Nov., 1776, his office was abolished. An indolent but agreeable man, Col. Young first obtained this post by marrying Mrs. Graham and, after her death in 1757, retained it by marrying at once Daniel Dulany's sister.

4. EXAMINER GENERAL.

This office, omitted from the Constitution of 1776, was re-established by an act of 22 Jan. 1782.

1. ROBERT JONES of Calvert County (—), appears as "Deputy Surveyor General" in May, 1683; he died in office prior to 10 April 1685.

2. CLEMENT HILL, SR., of St. Mary's County (Cath., brother-in-law of Agent Henry Darnall), appointed "Examiner or Deputy Surveyor General" to succeed Jones, 10 April 1685; resigned when he was sworn to the Board of Deputy Governors, 28 Nov. 1685.

3. Maj. THOMAS TAYLOR of Dorchester County (Prot.), appointed to succeed Hill, 5 March 1685/6; discharged because he lived inconveniently far from St. Mary's, 7 May 1687.

4. *HENRY BRENT of Calvert County (Cath.), com. 7 May 1687; died in office, 24 Jan. 1693/4.

5. CLEMENT HILL, SR., again appointed Examiner on death of Brent; apparently died in office about April, 1708, or else resigned in favor of his nephews shortly before his death.

6. *EDWARD DIGGES of Charles County (Cath.) and his brother-in-law *HENRY DARNALL II of Prince George's County (Cath.), appointed jointly at or shortly before their uncle Hill's death by their father, Agent Henry Darnall I, Digges for the Eastern and Darnall for the Western Shore.

7. *HENRY DARNALL II, appointed sole Examiner General pursuant to Baltimore's instructions to Carroll of 12 Sept. 1712; probably obliged to resign because of his religion in 1716. He died in 1737.

8. *BENNETT LOWE of St. Mary's County (Prot., mother and sisters Cath.), succeeded Darnall prior to April, 1718.

9. *NICHOLAS LOWE of St. Mary's County (Prot., brother of Bennett), entered office prior to 5 May 1720; resigned to be Agent and Receiver General.

10. JOHN GRESHAM, SR., of Annapolis (Prot.), com. by Lt. Gov. Calvert, 21 Sept. 1722; died in office in December, 1723.

11. *JOHN ROSS of Annapolis (Prot.), succeeded Gresham December, 1723; resigned in 1732 after appointment to various other offices.

12. RICHARD FRANCIS of Anne Arundel County (Prot.), succeeded Ross prior to June, 1732; removed to Philadelphia in September, 1738.

13. *BENJAMIN YOUNG, SR., of Prince George's County (Prot., wife Cath.), com. 29 Sept. 1738; resigned in 1748.

14. *JOHN ROSS, sworn 14 Dec. 1748 and again 26 March 1754; resigned in favor of his son-in-law shortly before 13 Oct. 1761. Died 18 Sept. 1766.

15. *Dr. UPTON SCOTT of Annapolis (Prot., Lt. Gov. Sharpe's physician), succeeded Ross shortly before 13 Oct. 1761; recom. 29 April 1773. Dr. Scott left Maryland in 1776 but returned in 1780 and died at Annapolis, 23 Feb. 1814. Francis Deakins of Montgomery County was appointed state Examiner General, 16 Feb. 1782.

5. RENT ROLL KEEPERS.

a. *Rent Roll Keeper of Both Shores.*

1. JAMES CARROLL of Anne Arundel County (Cath., nephew of Attorney General Charles Carroll), was probably appointed General Rent Roll Keeper about August, 1707; died in office, 13 June 1729.

2. RICHARD BENNETT III of Queen Anne's County (Cath.), com. by Baltimore, 19 Jan. 1730/1; by appointment of Tasker to the Western, his authority was limited to the Eastern Shore soon after 18 June 1733.

b. *Rent Roll Keeper of the Western Shore.*

1. BENJAMIN TASKER, SR., of Annapolis (Prot., mother prob. Cath.; wife's mother Cath.), seems to have been appointed by his son-in-law, Lt. Gov. Ogle, soon after 18 June 1733, pursuant to Baltimore's instruction to appoint two Rent Roll Keepers; resigned in October, 1753.

2. Col. EDWARD LLOYD of Wye House, Talbot County (Prot., nephew and heir of Richard Bennett above), appointed by Lt. Gov. Sharpe on Tasker's resignation, pursuant to Baltimore's instructions of 30 March 1753; resigned in March, 1768, when he gave up the Receivership General.

3. Maj. DANIEL OF ST. THOMAS JENIFER of Annapolis (Prot.), appointed by Sharpe to succeed Lloyd; quickly superseded by Meriwether.

4. REUBEN MERIWETHER of Annapolis (Prot., nephew of Agent John Morton Jordan), com. by Baltimore; took office 26 Oct. 1768. Like George Lee (Surveyor, Western Shore) he owed his place to Jordan's influence and was dismissed when Jordan died.

5. WILLIAM HAYWARD of Dorchester County (Prot.), com. 4 July 1772 and again 29 April 1773; died in March, 1774.

c. Rent Roll Keeper of the Eastern Shore.

1. RICHARD BENNETT III of Queen Anne's County (Cath.), appears to have remained Rent Roll Keeper of the Eastern Shore from Tasker's appointment to the Western, 1733, until his own death, 11 Oct. 1749.

2. *Col. EDWARD TILGHMAN of Queen Anne's County (Prot., third wife Cath.), appointed shortly before 9 May 1750: dismissed for incompetence in October, 1756, whereupon he and all his family became "flaming patriots." He was a nephew of Richard Bennett III and a cousin of Col. Edward Lloyd.

3. WILLIAM THOMAS of Anne Arundel County (Prot.; son of Councillor Philip Thomas), appointed to gratify his father just before 16 Oct. 1756; recom. 29 April 1773; ceased to act about 1775; died about December, 1783.

THE CROWN REVENUE ESTABLISHMENT

1. TEMPORARY ESTABLISHMENT, 1692-1715.

a. Receiver of Patuxent.

1. Col. GEORGE PLATER I of St. Mary's County (Prot.), appointed by William and Mary, 8 Jan. 1691/2; died in Oct., 1707. He acted as Receiver General for all of Maryland, Dec., 1693, to 1696, and for Patuxent and Pocomoke, ——— 1696 to 23 Oct. 1697. He was also Collector of Patuxent, April, 1691, to Nov., 1696, and Naval Officer of the same, October, 1693, to November, 1694, and October, 1698, until his death.

2. Col. JOHN ROUSBY II of Calvert County (Prot., mother prob. Cath.; married Plater's widow), appointed by Gov. Seymour and the Council to succeed Plater for the time being, 18 Feb.

1707/8. On learning that Rousby had no commission from the crown Gov. Hart in 1715 advised the discontinuance of this office; Rousby ceased to act on 28 Oct. 1715. He was also Naval Officer of Patuxent from December, 1707, to midsummer, 1717.

b. *Receiver of North Potomac and Pocomoke.*

1. Col. NEHEMIAH BLAKISTON of St. Mary's County (Prot., wife Cath.), appointed by William and Mary, presumably at the time Plater was appointed Receiver of Patuxent, 8 Jan. 1691/2; died in December, 1693. Plater then began acting as Receiver in these districts. Col. Blakiston was also Collector of North Potomac, September, 1685, until his death, and Commissary General from October, 1692, to October, 1693.

2. GEORGE MUSCHAMP of St. Mary's County (Prot.), succeeded Blakiston, as Collector of North Potomac only, by commission of 14 Feb. 1693/4; obtained royal letters patent as "Collector and Receiver of Potomac," 8 Oct. 1695, and again as Receiver only, 9 Aug. 1703; ordered by Governor and Council to act as Receiver of Pocomoke as well, 23 Oct. 1697; died in November, 1709. Muschamp was also Collector of North Potomac from 1694 until his transfer to the Collectorship of Patuxent, in 1700, which latter office he retained until his death.

3. JOHN DANSEY of St. Mary's County (Prot.), appointed for the time being by Pres. Lloyd and the Council, 7 Nov. 1709; never commissioned by the crown; office suppressed by Gov. Hart as a measure of economy soon after May, 1715. Dansey was also Collector of Patuxent from November, 1709, until his death in September, 1716.

c. *Deputy Auditor and Surveyor General.*

1. EDWARD RANDOLPH (Prot.), the well-known British administrator, com. by Auditor General William Blathwayte, 20 Dec. 1691, and confirmed in office by the Lords of the Treasury. He was only occasionally in Maryland. There is no evidence that he actually served in this office although he retained it until his death in April, 1703.

2. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), com. by Blathwayte, 19 Aug. 1703; audited Receivers' Accounts regularly until the end of the royal government late in 1715.

2. PERMANENT ESTABLISHMENT, 1673-1776.

a. *Surveyor and Comptroller General of Maryland.*

1. Col. HENRY COURSEY of Kent County (Prot.), appointed by Treas. Warrant of 27 Nov. 1673; resigned because his place of residence made the office inconvenient. He died in 1695.

2. NICHOLAS BADCOCK of ——— County (Prot.), by Treas. Warrant of 23 June 1680; died about August, 1681.

3. JOHN WALL (or WATT?) of ——— County (Prot.?), by Treas. Warrant of 20 March 1681/2; dismissed within the year.

4. Col. NEHEMIAH BLAKISTON of St. Mary's County (Prot., wife Cath.), by Treas. Warrant of 16 Jan. 1682/3; transferred to Collectorship of Patuxent by warrant of 19 March 1684/5.

5. Col. GEORGE LAYFIELD of Somerset County (Prot.), com. Surveyor and Comptroller General and Collector of Pocomoke, 19 March 1684/5; sworn 19 Nov. 1686, Comptrollership suppressed, 8 Oct. 1694; continued as Collector of Pocomoke until 24 June 1697.

b. *Collectorships.*

1) Collector of Patuxent.

1. *Hon. CHARLES CALVERT of St. Mary's County (Cath.), appointed by Treasury Warrant of 27 Nov. 1673; he asked leave to resign when he succeeded to his title, 4 March 1675/6.

2. CHRISTOPHER ROUSBY of Calvert County (Prot.), recommended by Calvert, appointed by Tres. Warrant of 16 Nov. 1676; murdered by Col. George Talbot, President of the Board of Deputy Governors, 31 Oct. 1684.

3. *Maj. NICHOLAS SEWALL (Cath.), and *Col WILLIAM DIGGES (Prot., wife Cath.), both of St. Mary's County, His Lordship's Naval Officers, ordered by the Board to execute Rousby's office for time being, 3 Dec. 1684; ordered to cease acting by Customs Commissioners, 10 Aug. 1685.

4. Col. NEHEMIAH BLAKISTON of St. Mary's County (Prot., wife Cath.), by Treas. Warrant of 19 March 1684/5. Resigned after appointed Collector of North Potomac.

5. JOHN PAYNE of ——— County (Prot.), com. 19 April 1687 and sworn 16 Jan. 1687/8; killed in a fray with Maj. Nicholas Sewall and others, 3 Jan. 1689/90.

6. Col. GEORGE PLATER I of St. Mary's County (Prot.), com. 17 April 1690 and sworn 11 April 1691; dismissed about Nov., 1696.

7. PETER JENINGS of ——— County (Prot.), com. 21 Nov. 1696 and sworn 2 July 1697; resigned to go home to England in March, 1698/9.

8. Col. ROBERT FINLEY of Talbot County (Prot.), com. by Gov. Blakiston, in whose company he had just arrived in Maryland, 22 March 1698/9; superseded by Muschamp (but meantime he was appointed Clerk of Talbot County).

9. GEORGE MUSCHAMP of St. Mary's County (Prot.), by Treas. Warrant of 12 March 1699/1700; died in November, 1709.

10. JOHN DANSEY of St. Mary's County (Prot.), com. by Surveyor General Robert Quarry, 15 Nov. 1709; died in September, 1716.

11. THOMAS FELL of ——— County (Prot.), served from 5 Oct. 1716 to 3 Sept. 1717.

12. Col. JOHN ROUSBY II of Calvert County (Prot., mother prob. Cath.; nephew of Christopher Rousby; m. widow of George Plater above), entered office 3 Sept. 1717; died in August, 1744.

13. EDMUND JENINGS of Annapolis (Prot.), entered office by Lt. Governor's com., 24 Aug 1744; superseded by Calvert.

14. *BENEDICT CALVERT of Prince George's County (Prot., His Lordship's natural son), by Treas. Warrant of 8 Nov. 1744, to succeed Rousby; entered office 19 July 1745; recom. 9 June 1761; served to end of colonial period; died 9 Jan. 1788.

2) Collector of North Potomac.

1. Col. NEHEMIAH BLAKISTON of St. Mary's County (Prot., wife Cath.), com. by Customs Commissioners, 26 Sept. 1685 and sworn 19 Nov. 1686; died in December, 1693.

2. PHILIP CLARKE of St. Mary's County (Prot.), appointed by Governor, 7 May 1694; superseded by Muschamp.

3. GEORGE MUSCHAMP of St. Mary's County (Prot.), com. by Customs Commissioners, 14 Feb. 1693/4 and sworn 17 Nov. 1694; obtained royal letters patent as Collector and Receiver, 8 Oct. 1695; removed to Collectorship of Patuxent.

4. JOHN DANSEY of St. Mary's County (Prot.), com. by Customs Commissioners, 29 Nov. 1699 and sworn 4 April 1700; displaced to provide for Seymour; was later Collector of Patuxent.

5. Capt. THOMAS SEYMOUR of St. Mary's County (Prot., brother of Gov. John Seymour), succeeded Dansey at Christmas, 1705, removed to Collectorship of South Potomac in Virginia, 9 Oct. 1710.

6. *JAMES BOWLES of St. Mary's County (Prot.), entered office 9 Oct. 1710. Apparently resigned in 1718; died in 1727.

7. DANIEL DULANY, SR., of Annapolis (Prot.), appointed by Surveyor General Maurice Birchfield; sworn 5 May 1718; superseded by Dixon.

8. JAMES DIXON of Calvert County (Prot.), probably appointed by the Customs Commissioners; served from 1 Jan. 1718/9 to 5 Jan. 1721/2.

9. LANCELOT POCKLEY of ——— County (Prot.), served from 5 Jan. 1721/2 to 18 June 1722.

10. *WILLIAM DEACON of St. Mary's County (Prot., wife Cath.), entered office 18 June 1722; died in December, 1759.

11. DANIEL WOLSTENHOLME of St. Mary's County (Prot.), took office 28 April 1760; served to end of colonial period. He had been a factor of the Hanburys of London, who obtained this appointment for him.

3) Collector of Pocomoke.

1. Col. GEORGE LAYFIELD of Somerset County (Prot.), com. by Customs Commissioners as Surveyor and Comptroller General of Maryland and Collector of Pocomoke, 19 March 1684/5, sworn 19 Nov. 1686; the Comptrollership was suppressed on 8 Oct. 1694, but he continued as Collector until 24 June 1697. He died in May, 1703.

2. DAVID KENNEDY of ——— County (Prot.), com. by Customs Commissioners as Collector, 21 Nov. 1696, and sworn 24 June 1697; went home to England under a cloud and without permission in July, 1701; dismissed in or shortly before Feb. 1704/5.

3. EDWARD PRICE of Somerset County (Prot.), entered office at Christmas, 1705; died shortly before November, 1714.

4. WILLIAM STOUGHTON of Somerset County (Prot.), com. by Lt. Gov. Hart, 14 Feb. 1715/6, but entered office prior to 24 Aug. 1715; resigned in 1724 and died in 1759; son-in-law of Col. Arnold Elzey, Naval Officer of Pocomoke.

5. JOHN BROWNE of Somerset County (Prot.), took office 29 Nov. 1724; died in January, 1728/9.

6. Col. GEORGE PLATER II of St. Mary's County (Prot.), entered office 12 Jan. 1728/9; superseded by Chambers.

7. EDWARD CHAMBERS of Somerset County (Prot.), appointed by Customs Commissioners, 13 May; entered office 25 Aug. 1729.

8. ROBERT HERON of Dorchester County (Prot.), took office 6 Oct. 1748; died 3 June 1774.

9. WILLIAM BACON of Somerset County (Prot.), com. 24 Nov. 1774; granted leave to remove to Great Britain, 27 May 1780.

4) Collector of Chester and Patapsco.

1. Rev. JAMES STERLING of St. Paul's Parish, Kent County (Prot.), appointed pursuant to Treasury Warrant of 12 May 1752; salary began 25 March 1752; entered office in August, 1752; died 10 Nov. 1763.

2. WILLIAM GEDDES of Kent County (Prot.), appointed by Customs Commissioners shortly before 28 Jan. 1766; served to end of colonial period. His district included only Chester River; Patapsco had reverted to the Patuxent District. Geddes was appointed Naval Officer of the Eight District in April, 1777. He died at Newport, Del., Oct., 1792.

c. *Surveyors and Searchers.*

1) Surveyor and Searcher of Annapolis.

1. HENRY WRIOTHESLY of Baltimore County (Prot.), by Treasury Warrant of 20 Nov. 1696; resigned almost at once.

2. Col. WILLIAM BLADEN of Annapolis (Prot., wife Cath.), com. by Surveyor General Edward Randolph, "Collector," 24 Dec. 1697, and recom. by the Customs Commissioners, "Surveyor and Searcher," 12 Jan. 1697/8; died 7 Aug. 1718.

3. BENJAMIN TASKER, SR., of Annapolis (Prot., mother prob.

Cath., wife's mother Cath.), succeeded his father-in-law, Col. Bladen, 19 Aug. 1718; resigned to be Agent and Receiver General in July, 1734.

4. MICHAEL MACNEMARA of Annapolis (Prot., mother Cath.), succeeded Tasker just before 2 Aug. 1734; transferred to Riding Surveyorship of Wicomico and Monie, 30 Sept. 1746.

5. BENJAMIN TASKER, SR., succeeded Macnemara, 30 Sept. 1746; died 19 June 1768.

6. WILLIAM EDDIS of Annapolis (Prot.), took office in September, 1769; left the state to return to England, 8 June 1777.

2) Surveyor and Searcher of Oxford.

1. THOMAS COLLIER of Talbot County (Prot.), com. "Riding Surveyor of the Eastern Shore," 22 Aug. 1695, "Collector," 24 Dec. 1697, and finally "Surveyor and Searcher," 12 Jan. 1697/8; died in 1719. The commissions were by Edward Randolph.

2. *Col. THOMAS BOZMAN of Talbot County (Prot.), probably succeeded Collier in 1719; certainly entered office prior to midsummer, 1741. Died in June, 1752.

3. JOHN LEEDS of Talbot County (Prot.), entered office 7 March 1754; served to end of colonial period; died in 1790.

d. *Riding Surveyors.*

1) Riding Surveyor of Bohemia and Sassafras.

1. DANIEL PEARCE of Cecil County (Prot.), com. by Governor, 5 March 1695/6; commission vacated, 30 Dec. 1697.

2. WILLIAM WYVILL of Cecil County (Prot.), com. by Edward Randolph, 24 Dec. 1697; died 5 Aug. 1702.

3. WILLIAM DYER of ——— County (Prot.), com. by Pres. Tench, 12 Oct. 1702; transferred to office of Surveyor and Searcher of Delaware Bay, 10 May 1704.

4. Capt. THOMAS SEYMOUR (Prot., brother of Gov. John Seymour), succeeded Dyer, 10 May 1704; transferred to Collectorship of North Potomac at Christmas, 1705.

5. THOMAS WOOD of Cecil County (Prot.), succeeded Seymour at Christmas, 1705.

6. STEPHEN KNIGHT of Cecil County (Prot.), entered office 15 March 1706/7; resigned in December, 1743; died in 1744/5.

7. Col. BENJAMIN TASKER, JR., of Annapolis (Prot.), succeeded Knight at Christmas, 1743; died 17 Oct. 1760.

8. JOHN RIDOUT of Annapolis (Prot., Col. Tasker's nephew and Lt. Gov. Sharpe's protégé), entered office 17 April 1761. He was obliged to resign, shortly before 28 Oct. 1768, because he would not live at his post.

9. ROBERT STRATFORD BYRNE of Cecil County (Prot.), probably succeeded Ridout about 1769; served to the end of the colonial period.

2) Riding Surveyor of Pocomoke.

1. EDWARD PRICE of Somerset County (Prot.), com. by Edward Randolph, 24 Dec. 1697; was also Riding Surveyor of Wicomico and Monie; resigned after his appointment as Collector of Pocomoke, 25 Dec. 1705.

2. JOHN PHELPS of Somerset County (Prot.), entered office 24 April 1707; died in midsummer, 1717.

3. JOSEPH BROWNE of Somerset County (Prot.), entered office 17 May 1718; suspended by the Customs Commissioners in 1732 because he had removed to Philadelphia and had refused to return to his post.

4. JOSEPH BOSWELL of ——— County (Prot.), appointed by Surveyor General George Phenney, 2 Aug. 1732, and sworn 18 Jan. 1732/3.

5. SERGEANT SMETHERS of Somerset County (Prot.), served from 22 March 1735/6 to 28 April 1737.

6. *WILLIAM BREREWOOD of Somerset County (Prot.), appointed by Treasury Warrant, at Baltimore's request, 16 April 1736; entered office 28 April 1737; died shortly before June, 1743.

7. *Dr. GEORGE STEUART of Annapolis (Prot., wife Cath.), served from 28 June 1743 to 22 April 1746.

8. EDMUND HOUGH of Worcester County (Prot.), by Treasury Warrant of 17 July 1745; entered office 30 April 1746; died in 1762.

9. DAVID BOWMAN of ——— County (Prot.), served from 4 Dec. 1762 to 22 Dec. 1763, when transferred to the Surveyorship of Cape Charles, Virginia.

10. LEVIN GALE of Somerset County (Prot.), served from 22 Dec. 1763 to the end of the colonial period. He died 9 Oct. 1791.

3) Riding Surveyor of Wicomico and Monie.

1. EDWARD PRICE of Somerset County (Prot.), com. by Edward Randolph, 24 Dec. 1697; was also Riding Surveyor of Pocomoke; resigned after appointment as Collector of Pocomoke, 25 Dec. 1705.

2. Capt. WILLIAM FASSETT of Somerset County (Prot.), entered office 22 March 1706/7; died in May, 1735.

3. JAMES HILL of Somerset County (Prot.), served from 20 May 1735 to 10 Feb. 1735/6.

4. ALEXANDER STEWART of Somerset County (Prot.), by Treas. Warrant of 5 July 1737; entered office 3 Jan. 1737/8; died ——— 1744.

5. THOMAS BROWNE of Somerset County (Prot.), served from 26 April 1745 to 30 Sept. 1746.

6. MICHAEL MACNEMARA of Annapolis (Prot., mother Cath.), by Treas. Warrant of 28 Aug. 1745; took office 30 Sept. 1746; sold the office to William Bacon, to get ready money, about December, 1761. He died in debtor's prison, 4 Nov. 1767.

7. WILLIAM BACON of Somerset County (Prot.), entered office 31 May 1762; granted leave to remove to Great Britain, 27 May 1780.

e. *Comptrollers.*

1. JAMES GIBBS of ——— County (Prot.), com. Comptroller of *Patuxent* by Lt. Gov. Sharpe, 4 April and sworn 27 July 1764; returned to England for his health in 1767; was still absent in May, 1770.

1. *Dr. UPTON SCOTT of Annapolis (Prot., Lt. Gov. Sharpe's physician), entered office as Comptroller of *North Potomac*, 13 July 1765; left Maryland in 1776 but returned in 1780 and died at Annapolis, 23 Feb. 1814.

1. JOHN YEATES of ——— County (Prot.), Comptroller of *Pocomoke*, probably appointed in midsummer, 1764, or '65; died prior to May, 1766.

2. ANDREW RAGG of ——— County (Prot.), appointed by Customs Commissioners to succeed Yeates at *Pocomoke*, 30 May 1766; entered office 28 Aug. 1766; granted leave to remove to Great Britain, 31 March 1779.

1. JOHN CLAPHAM of Annapolis (Prot.), appointed Comptroller of *Chester* by Customs Commissioners about 30 May 1766; sworn 27 Sept. 1766; granted leave to remove to Great Britain, 23 March 1779.

BIBLIOGRAPHY

1. THE SOURCES

For present purposes we may distinguish three unequal classes of Maryland materials: Public records, private papers, and newspapers. The public records we may again divide between those of Maryland and those of British provenance. Both are well preserved and have been for many years in process of publication.

With a few exceptions to be noted, all those Maryland public records created prior to her ratification of the federal constitution, 28 April 1788, and very many created after that date, are now housed in the Hall of Records building at Annapolis and are there divided between the state Land Office and the Hall of Records proper.

A *Catalogue of Archival Material, Hall of Records* (Hall of Records Commission Publications, No. 2 [Annapolis, 1943]) listed the various groups of holdings then in the latter depository. It is now to be supplemented by a series of finding aids for some of the groups mentioned in the catalog. Two such works of interest for the colonial period have appeared: *Calendar of Maryland State Papers, No. 1, The Black Books* (Hall of Records Commission Publications, No. 1 [1943]) and *Land Office and Prerogative Court Records of Colonial Maryland* (H. of R. Com. Publications, No. 4 [1946]). These contain appropriate historical data on the records and record offices of the province and state.

The Land Office houses the proprietary land records proper and two series of court records. Only the former, consisting of Patents, Warrants, Leases, Rent Rolls, and Debt Books, are described in the previously mentioned inventory. (A score of other Rent Rolls are among the Calvert Papers at the Maryland Historical Society.) More useful for historical purposes are the Chancery Record, 1668-1789 (16 v.), and the Provincial Court Record, 1658-1774 (23 v.). The one is a record of suits and judgments in the High Court of Chancery, while the other comprises the land record books of the Provincial Court. These latter contain also powers of attorney, commissions, and oaths of office. The first four volumes of this Provincial Court Record, with parts of four earlier miscellaneous proprietary record books in the Hall of Records proper, have been published to form the five volumes of *Proceedings of the Provincial Court, 1637-1670*, in the *Archives of Maryland* series.

On the other side of the building, in the Hall of Records proper, is found a vast collection of provincial, state, and county archives. The most important provincial materials are the *Proceedings of the Governor and Council*, the *Journals of the Upper and Lower Houses of Assembly*, *Letter Books*, *Commission Books*, *Black Books*, *Miscellaneous State Papers*, *Proceedings of the Court of Appeals*, *Provincial Court Judgements*, and the books and papers of the *Prerogative Office*. The records of each

county consist mainly of the proceedings of the local court, deed books, wills, and other probate papers. Among the provincial records we should note the loss of some Council Proceedings, notably those from Sept., 1703, to Oct., 1714, from Dec., 1715, to Aug., 1721, and from Sept., 1770, to 1777; of the Journals of the Lower House for October, November, and December, 1773; and of the Proceedings of the Court of Appeals from 1729 through 1748 and from 1761 to 1788.

A limited number of state papers remain outside the Hall of Records building. The Maryland Historical Society at Baltimore has a few letters of Gov. Seymour and Lt. Gov. Eden (published in the *Maryland Historical Magazine*, II [1907], XVI [1921], and XVII [1922]) and the Library of Congress has transcripts of a number of Sharpe letters (published in *ibid.*, XII [1917], 370-383). Among the Gilmor Papers (4 v.) at the Maryland Historical Society are many historical documents obtained by the late Robert Gilmor of Baltimore (d. 1848) from Horatio Ridout, Esq., son of Lt. Gov. Sharpe's secretary and principal heir. There exist elsewhere two old private collections of transcripts, the Chalmers Papers (25 v.) at the New York Public Library and the Sparks Manuscripts at the Harvard College Library. The Maryland materials in the former are available on microfilm at the Maryland Historical Society and those in the latter at the Enoch Pratt Free Library in Baltimore.

In the magnificent *Archives of Maryland* series the Maryland Historical Society began publication (1883) of what are now the holdings chiefly of the Hall of Records proper. The *Archives* now (1952) consist of sixty-four large volumes. These include all the extant colonial Proceedings of the Governor and Council (11 v.) and those of the General Assembly (32 v.); the Correspondence of Lt. Gov. Sharpe, 1753-71 (3 v. with parts of two others); Minutes of the Board of Revenue, 1768-75 (part of v. 32); Proceedings of the Provincial Court, 1637-70 (5 v.); Proceedings of the Court of Chancery, 1669-79 (1 v.); Proceedings of the County Courts of Charles, Kent, Talbot, and Somerset Counties, 1648-76 (3 v.); and nine volumes of Revolutionary records, civil and military, 1775-84. The earlier volumes show small textual errors and are without adequate subject indexes, but more recent ones are free of these defects and have also detailed introductions.

Supplementary to this series is *Proceedings of the Maryland Court of Appeals, 1695-1729*, Carroll Taney Bond, ed. ("American Legal Records," I, Washington, 1933), which embraces the first of two volumes of Court of Appeals Proceedings at the Hall of Records. "Commission Book, No. 82 [1733-50 and 1761-73]" in *Md. Hist. Mag.*, XXVI (1931) and XXVII (1932) is a record of appointments to office. There are numerous early collections of Maryland laws, all of which are now quite scarce. Five of these, dated respectively 1727, 1765, 1787, 1799-1800, and 1811, were published at Annapolis; a sixth appeared in 1759 at Philadelphia.

Several groups of documents at the Hall of Records proper remain in manuscript. The other book of Court of Appeals Proceedings covers the period 1749 through 1760. The Provincial Court Judgements, 1679-1774

(69 v.), is a record of suits in the Provincial Court. The Prerogative Court Records, 1635-1777 (363 v. with papers; see the catalogue cited above), contain wills, inventories, accounts, etc. Commission Books Nos. 80 and 83 contain commissions to officers for 1726-86 and 1774-76 respectively. No. 81 is merely a transcript of No. 80. The content of the Black Books (11 v. in 19 parts and a portfolio, state papers of 1701-85) has been thoroughly catalogued (see above), and many of the single documents will be found scattered as supplementary material throughout the *Archives*. The Miscellaneous State Papers (1638-1778), are in five containers, cited as Portfolios 2, 3, and 4, of which the last embraces three containers and the other two one each.

On turning from Maryland to British public documents we find that some transcripts, photostats, and originals are now available in this country. The Library of Congress has transcripts of the Audit Office Papers, 1672-1776, bundle 756, roll 792, through bundle 829, roll 1086, and photostatic copies of the Board of Trade Correspondence with Maryland, 1633-1777, Colonial Office, class 5, v. 713 through v. 727. The Historical Society of Pennsylvania, at Philadelphia, has transcripts of the Board of Trade Journals, 1675-1782; Board of Trade Papers, Plantations General, 1689-1780; and Board of Trade Papers, Proprieties, 1697-1776. The Huntington Library at San Marino, California, has ten volumes of the papers of William Blathwayte (d. 1717), commissioner of Trade and Plantations and Auditor General of Her Majesty's Revenues arising in America. Of these volume VI contains Maryland documents, 1664-1701, which may now be examined in microfilm at the Pratt Library.

Several important groups of British records relating to the colonies have been published in abstract by Her Majesty's Stationery Office. These are as follows: *Calendar of State Papers, Colonial, America and West Indies* [1574-1736] (35 v., 1860—); *Acts of the Privy Council of England, Colonial Series* [1613-1783] (6 v., 1908-12); *Journal of the Commissioners for Trade and Plantations* [1704-1782] (14 v., 1920-38); *Calendar of Treasury Papers* [1557-1728] (6 v., 1868-89); *Calendar of Treasury Books* [1660-1718] (32 v., 1904—); and *Calendar of Treasury Books and Papers* [1729-1745] (5 v., 1897-1903). Supplementary to these are *Proceedings and Debates of the British Parliaments respecting North America* [1541-1754], Leo Francis Stock, comp. (5 v., Washington, 1924-41); *Royal Instructions to British Colonial Governors, 1670-1776*, Leonard Woods Labaree, comp. (2 v., N. Y. and London, ca. 1935); and "Papers Relating to Officers of the Customs in North America [1770-76]," *Md. Hist. Mag.*, XXVII (1932), 231-39. British laws are printed in *The Statutes at Large* [1225-1800], Owen Ruffhead, ed. (18 v., London, 1769-1800). Because during most of her history Maryland was a proprietary colony these materials are not as useful for this province as for other British plantations. They are, however, an important source for the period of crown rule (1690-1715) and for the royal customs service.

Three interesting contemporary books are in the nature of sources and may be conveniently regarded as private papers. These are: Andrew

Burnaby, *Travels through the Middle Settlements in North America, in the Years 1759 and 1760; with Observations upon the State of the Colonies* (revised, corrected and enlarged, London, 1798); Jonathan Boucher, *Reminiscences of an American Loyalist, 1738-1789*, Jonathan Bouchier (his grandson), ed. (Boston and N. Y., 1925); and William Eddis, *Letters from America, Historical and Descriptive; Comprising Occurrences from 1769 to 1777 inclusive* (London, 1792). Of these the latter two relate specifically to Maryland, the last being the more useful. Eddis, who returned to England in 1777, was an office-holder, a friend of Lt. Gov. Eden, and a sympathetic observer of the colonial scene.

The Maryland Historical Society, founded in 1844, has been diligently gathering private papers ever since. Under its present director much progress has been made in enlarging this collection and in cataloguing and indexing it. The most important single groups of such materials for our purposes are the Calvert Papers, the Dulany Papers, the Bordley Papers, and a mass of Carroll Papers. The nearby Maryland Diocesan Library (Episcopal) has the Callister Papers; and the Library of Congress has the Bozman Papers and Galloway Papers.

The Calvert Papers, 1312 pieces in 90 boxes, fill the same role for the two proprietary periods (1634-89 and 1715-76) as do the British documents for the interval of crown rule. They include, among other items, correspondence between the Lords Proprietary and their officers in Maryland and instructions to the successive Lieutenant Governors and Receivers General. A history and calendar of these papers, with a selection of twenty-three letters prior to 1689, is printed in *The Calvert Papers, Number One* (Maryland Historical Society, "Fund Publications," No. 28, Baltimore, 1889); and other letters (1719-65) make up *The Calvert Papers, Number Two* ("Fund Publications," No. 34, Baltimore, 1894). Numerous documents from this collection have been printed in the *Archives* series.

The remaining collections consist of account books, letter books, and loose letters and papers. The letters will be found to be made up in unequal parts of purely business matters, local gossip, and a surprising quantity of talk about law, history, and literature. For our purposes the gossip, particularly where it touches on political matters, is the most informative element, and it is for this reason that the Dulany and Bordley Papers are so useful. The former comprise the correspondence of Daniel Dulany, Jr., Walter Dulany, and their friends. A few of these letters have been published in *Md. Hist. Mag.*, IV (1909), 388-90, XIV (1919), 371-83, XVI (1921), 43-50. But see also Daniel Dulany's "Military and Political Affairs in the Middle Colonies in 1755," *Pennsylvania Magazine of History and Biography*, III [1879], 11-31.) Among the Bordley Papers are five letter books of Stephen Bordley covering the years 1727-35, 1738-40, 1740-47, 1749-52, and 1756-59.

The Society owns also a great quantity of the papers of five persons named Charles Carroll, that is, Charles the Settler (d. 1720), his son Charles of Annapolis (d. 1781), and his grandson Charles of Carrollton

(d. 1832); Dr. Charles Carroll of Annapolis (d. 1755), and his son, Charles Carroll, the Barrister, of Annapolis and Baltimore (d. 1782). Many, but by no means all, of these have been printed. Thus we have *Unpublished Letters of Charles Carroll of Carrollton and of his Father, Charles Carroll of Doughoregan*, Thomas Meagher Field, ed. (United States Catholic Historical Society, "Monograph Series," No. 1, N. Y., 1902); "Extracts from the Carroll Papers," *Md. Hist. Mag.*, X (1915) through XVI (1921), *passim* (letters between Charles of Annapolis and Charles of Carrollton, 1750-74); "A Lost Copy-Book of Charles Carroll of Carrollton," *ibid.*, XXXII (1937), 193-225 (Letters of 1770-74); "Extracts from Account and Letter Books of Dr. Charles Carroll of Annapolis," *ibid.*, XVIII (1923) through XXVII (1932), *passim* (letters of 1722-55); and "Letters of Charles Carroll, Barrister," *ibid.*, XXXI (1937) through XXXVIII (1943), *passim*. These extensive collections are a valuable source for economic history, but for political affairs they are disappointing. A similar observation may apply to the unpublished Callister Papers, Bozman Papers, and Galloway Papers.

Long the only newspaper of the province, the *Maryland Gazette*, published at Annapolis from 1727, with a gap between 1734 and 1745, consisted, like every other paper of its day, chiefly of advertisements, "foreign intelligence," and literary effusions. Not till after the Peace of Paris (1763) did it begin to reflect local issues and political controversies. The Maryland State Library at Annapolis has an almost complete file, which is available on microfilm at the Maryland Historical Society and at many scholarly libraries. All of the death and marriage notices down to 1800 have been published, under the title "'News' from the 'Maryland Gazette,'" in *Md. Hist. Mag.*, XVII (1922), 364-79; XVIII (1923), 22-37, 150-83, 273-90. A *Maryland Journal* appeared at Baltimore in the fall of 1773.

2. THE WRITINGS

There are two indispensable works of a general nature: Newton Dennison Mereness, *Maryland as a Proprietary Province* (N. Y., 1901), and Charles Albro Barker, *The Background of the Revolution in Maryland* ("Yale Historical Publications, Miscellany," No. 38, New Haven, 1940). The former embodies a topical treatment of the entire colonial era. The latter is a history, topical in its general tendency, of the second proprietary period (1715-76). Both are models of scholarship.

The detail of Maryland's political history may be filled in with the aid of a series of monographs and articles. Many of the best are to be found among the *Johns Hopkins University Studies in Historical and Political Science*, here abbreviated JHUS. These are for the most part accurate, scholarly, and penetrating although some earlier ones are duller than need be, and they come to us in an unattractive format.

An integrated series of such writings by the late Bernard Christian Steiner covers events down through the organization of royal government: *Beginnings of Maryland, 1631-1639* (JHUS, series 21, nos. 8-10, Balti-

more, 1903); *Maryland during the English Civil Wars* (JHUS, series 25, nos. 4, 5, Baltimore, 1906-07); *Maryland under the Commonwealth, a Chronicle of the Years 1649-1658* (JHUS, series 29, No. 1, Baltimore, 1911); "Maryland under the Restoration, 1658-1676" (MS at Md. Hist. Society); "Maryland Ruled by the Second Lord Proprietary, 1676-1689" (MS at Md. Hist. Society); "The Protestant Revolution in Maryland," American Historical Association, *Annual Report for the Year 1897*, 279-353; and "The Royal Province of Maryland in 1692," *Md. Hist. Mag.*, XV (1920), 125-68.

The interplay of religious and political motifs in the same period may be followed in George Petrie, *Church and State in Early Maryland* (JHUS, series 10, no. 4, Baltimore, 1892); Alfred Pearce Dennis, "Lord Baltimore's Struggle with the Jesuits, 1634-1649," American Historical Association, *Annual Report for the Year 1900*, 105-25; Daniel Richard Randall, *A Puritan Colony in Maryland* (JHUS, series 4, no. 6, Baltimore, 1886); Lawrence Counselman Wroth, "The First Sixty Years of the Church of England in Maryland, 1632-1692," *Md. Hist. Mag.*, XI (1916), 1-41; and Francis Edgar Sparks, *Causes of the Maryland Revolution of 1689* (JHUS, series 14, nos. 11, 12, Baltimore, 1896).

We have a second series of articles describing the later proprietary period (1715-76) and the Revolution. These begin with Bernard Christian Steiner, "The Restoration of the Proprietary of Maryland and the Legislation against Roman Catholics during the Governorship of Captain John Hart (1714-1720)," American Historical Association, *Annual Report for the Year 1899*, I, 229-307, and St. George Leakin Sioussat, *Economics and Politics in Maryland, 1720-1750, and the Public Services of Daniel Dulany the Elder* (JHUS, series 21, nos. 6, 7, Baltimore, 1903). See also, in this connection, Aubrey C. Land, "Genesis of a Colonial Fortune: Daniel Dulany of Maryland," *William and Mary Quarterly*, series 3, VII (1950), 255-69.

There follows a series by Paul Henry Giddens relating to the Sharpe administration of 1753-69: "Governor Horatio Sharpe and his Maryland Government," *Md. Hist. Mag.*, XXXII (1937), 156-74; "The French and Indian War in Maryland, 1753 to 1756," *ibid.*, XXX (1935), 281-310; "Maryland and the Earl of Loudon," *ibid.*, XXIX (1934), 268-94; "Maryland and the Stamp Act Controversy," *ibid.*, XXVII (1932), 79-98; "Governor Horatio Sharpe Retires," *ibid.*, XXXI (1936), 215-25. See also Arthur Meier Schlesinger, "Maryland's Share in the Last Intercolonial War," *ibid.*, VII (1912), 119-49, 243-67, and the article by Dr. Giddens cited below.

On the fall of proprietary government the principal writings are Charles Albro Barker, "The Revolutionary Impulse in Maryland," *ibid.*, XXXVI (1941), 125-38; Bernard Christian Steiner, *Life and Administration of Sir Robert Eden* (JHUS, series 16, nos. 7-9, Baltimore, 1898); Rosamond Randall Beirne, "Portrait of a Colonial Governor: Robert Eden," *Md. Hist. Mag.*, XLV (1950), 153-75, 294-311; John Archer Silver, *The Provisional Government of Maryland (1774-1776)* (JHUS, series 13,

no. 10, Baltimore, 1895) ; Beverley Waugh Bond, Jr., *State Government in Maryland, 1777-1781* (JHUS, series 23, nos. 3, 4, Baltimore, 1905) ; and Philip A. Crowl, *Maryland during and after the Revolution: A Political and Economic Study* (JHUS, series 61, no. 1, Baltimore, 1943).

The institutional history of the province has been neglected since the turn of the century when Mereness examined it so thoroughly. On the central governing body we have Carroll Taney Bond, *The Court of Appeals of Maryland, a History* (Baltimore, 1928), and Elie Vallette's contemporary *The Deputy Commissary's Guide within the Province of Maryland* (Annapolis, 1774). Some of the peripheries are taken up in Cyrus Harreld Karraker, *The Seventeenth Century Sheriff, a Comparative Study of the Sheriff in England and the Chesapeake Colonies, 1607-1689* (Philadelphia, 1930) ; Lewis Webb Wilhelm, *Local Institutions of Maryland* (JHUS, series 3, nos. 5, 7, Baltimore, 1885) ; and Edward Ingle, *Parish Institutions of Maryland* (JHUS, series 1, no. 6, Baltimore, 1883).

There is no monograph on the provincial revenue establishment and none on the proprietary establishment as such. However, Dr. Barker's book contains a fine description of His Lordship's income. For the crown revenue establishment we have Elizabeth Evelynola Hoon's recent and excellent *The Organization of the English Customs System, 1696-1786* (American Historical Association, N. Y., 1938), and Dora Mae Clark's "The American Board of Customs, 1767-1783," *American Historical Review*, XLV (1939-40), 777-806.

Closely interwoven with the history of proprietary revenue is that of the land system. The earliest work on this subject, John Kilty, *The Land-Holder's Assistant and Land-Office Guide* (Baltimore, 1808), is ill-organized and hard to read but indispensable for reference. The important modern studies are Beverley Waugh Bond, Jr., *The Quit Rent System in the American Colonies* ("Yale Historical Publications, Miscellany," no. 6, New Haven, 1919) ; his "The Quit Rent in Maryland," *Md. Hist. Mag.*, V (1910), 350-65 ; Clarence Pembroke Gould, *The Land System in Maryland, 1720-1765* (JHUS, series 31, no. 1, Baltimore, 1913) ; and Paul Henry Giddens, "Land Policies and Administration in Colonial Maryland, 1753-1769," *Md. Hist. Mag.*, XXVIII (1933), 142-71.

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